

AN ANSVVEARE

Made by Rob. Bishoppe of VVyn-
chester, to a Booke
entituled,

THE DECLARATION OF SVCHE
Scruples, and staies of Conscience, tou-
chinge the Othe of the Supremacy, as M.
Iohn Fekenham, by vvyrynge did deliuer
vnto the L. Bishop of VVinchester, vvith
his Resolutions made thereunto.

Rob. Horne Episc. Wint.

DEC. C. 23. Q. 5.

Let the Princes of the worlde knowe, that they of
duetie shal rendre an accompte to God for the Church,
whiche they haue taken of Christe to praserue. For
whether the Peace and Discipline of the Church be
encreased by faithfull Princes, or it be loosed, he dooth
exacte of them an accompte, who hath deliuered
his Church, to be committed to their power.

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Anno. 1566

The Preface.



Is now an whole yere
passe, since I herde of a booke
secretely scattered abroad by
M. Fekenham amonge his
freendes: And in April laste I
came by a copie therof. When
I had redde the booke, and per-
ceiued bothe the matter and
the maner of the mannes do-
ynges therein: I sawe his
prowes so sclendze: and his maner of dealinge so shameles:
that I stode in doubt what to do, whether to discover
the man by writinge, or to shake him of with silence. If
I had not seene a further meaninge in his settinge forth
and publishinge the booke, then he durste plainly utter,
or then his cunnige coude by any meanes Answer
vnto: or then, that I with a god conscience mought haue
neglected: I woulde haue passe it over with silence, as
a peece of worke not wortie of Answer. But seeing
the chiefe ende and principall purpose intended, as may be
iustly gathered in publishyng the booke, was, to ingrafts
in the mindes of the subiectes a mislikyng of the Quenes
Maiestie, as though she vsurped a power, and authoritie
in Ecclesiasticall matters, whereto she hath no righte:
to sclandze the whole Realme, as though it were stran-
ged and directly against the Catholike Church, renoun-
cinge and refusinge to haue Communion therewith: And
vndze my name to deface the mynisters of Christes
Church: I coude not chosse, oneles I woulde wilfully ne-
glect my duetie to her Maiestie, shewe my selfe overmuch
vnrinde vnto my natie Countrey, and altogether be-
come

come carelesse of the Church Synisterie, but take penne in hande, and shape him a ful and plaine answere, without any curiositie. Wherein I folowe the order of M. Jekenhams booke: I make the pꝛoꝛes accoꝛdyng to his request: and besides my pꝛoꝛes swꝛth of the Scriptures, the auncient Doctours, the Generall councelles and Patrimonall: I make pꝛoꝛse by the continuall practice of the Church, in like gouernement as the Quēnes Maiestie taketh vpon her, and that, by suche Authoꝛs, foꝛ a great soꝛt of them, as are the moꝛe to be credited in this matter, foꝛ that they were moꝛse earnest sautoꝛs of the Romishe sea, inſeared as the times weare, with muche superstition, and did attribute vnto the sea of Rome, and so to the whole Cleargie so muche authoꝛitie in Church matters, as they mighte, and muche moꝛe then they ought to haue done. Their iudgementes and sentences shall appeare in readinge by the foꝛme of letter: foꝛ leuinge swꝛth the Latine to auoide tediousnes, I haue put into English the Authoꝛs mindes and sentences, and caused them, foꝛ the moꝛse parte, to be pꝛinted in Latine letters, that the English reader may know and decerne the Authoꝛs sayings from mine.

If this that I haue done, woꝛke that effect in the English Reader whiche he ought to seeke, and I do wish, I haue wonne that I wrought foꝛ: but otherwise, let men saie and iudge what they liſte, I haue discharged my conscience and shewed the trueth. Anno Domini. 1565. Feb. 25.

Rob. Wycheſter

AN ANSVVEARE TO

Maister Io. Fekenham.

Maister Fekenham.

The declaracion of such scruples and stayes of conscience touchyng the Othe of Supremacie as M. Iohn Fekenham by vvritinge did deliuer vnto the L. Bisshop of VVynchester, vvith his resolutions made thereunto.

The Bisshop of Wynchester.

THe propriety of him that meaneth to declare rightly any matter done, is to set forth the truth without malice, to obserue the due circumstances of the matter, persones, & times: and to vse simple plainesse without guileful ambiguities. This Title is so replenished with vntrue reporte, & ambiguous sleighes, without the note of any necessary circumstance, & there is not almost one true woꝛde therein: wherby you geue at the first a taste to the indifferent reader, what he must looke for in the sequele.

You pretende, and would haue your friendes to thinke, that the first fower chiefe pointes set forth in your booke, were deuised by you, put in vvriting, and so deliuered vnto me, as the matter and grounde whereuppon, the conference to be had betwixt me & you should stande: And that I made therunto none other but suche resolutions, as it hath pleased you vntruely to report. In the first parte, you conueigh an vntrueth vnder a coulozable and ambiguous meaning, in these woꝛdes, as M. Iohn Fekenham by vvritinge did deliuer vnto the L. Bisshop of VVynchester. In the other parte, you make an vntrue reporte without any colour at all. I doe graunt and will not denie, that you deliuered to me a booke: whiche, I thanke God, I haue to shewe, whereby to disproue you. The same will declare the

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the time when, the place where, the occasion wherefore, the personnes to whome the booke was wzitten, and what is the matter in generall therein conteyned: Whereunto must be added, at what time the same was deliuered vnto me, vpon what occasion, and to what ende. All whiche circumstances you omitte in your booke published, least you shoulde haue betwrayed your selfe, and haue appeared in your owne likenesse.

The booke by you deliuered vnto me, touchinge the Othe, was wzitten in the Tower of London (as you your selfe confessed, and the true title thereof doth plainely testifie) in y^e time of the Parliament holden Anno quinto of the Q. Maiestie. January. 12. at whiche time you litle thought to haue sojourned with me the winter followinge, & much lesse meante, to deliuer me the scruples and staies of your conscience in wzitinge, to be resolved at my handes. And although you woulde haue it seeme by that you haue published abzoade, that the cause why you wzote, was to be resolved at my hande: yet the trueth is (as you your selfe repozted) that you & your Towerfellowes, hearinge that the Statute mooued for the assuraunce of the Quenes royall power, would passe & be established, did conceiue that immediatly after the same session, Commissioners should be sente vnto you, to exact the othe. Whereuppon you to be in some areadines, to withstande and refuse the duetie of a good subiect, not without healpe of the rest (as may be gathered) deuised the matter conteyned in the booke, committed the same to wzitinge, and purposed to haue deliuered it for your aunswere touchinge the Othe of the Supremacie to the Commissioners, if they had come. This may appeare by the title of that booke that you firste deliuered to me whiche is woozde for woozde as followeth.

The ansvveare made by M. Iohn Fekenham Priest, and prisoner

soner in the Towver, to the Queenes highnes commissioners,
touchyng the Othe of the Supremacie.

In this title there is no mencion of scruples & stayes
deliuered to the Bishop of Wynchester, but of aunswere
to the Queenes commissioners. I am not once named in
the title, ne yet in the booke deliuered to me: neither is
there one worde as spoken to me: although in the booke
set abroade, you turne all as spoken to me. In your booke
published are founde these kindes of speeches: To the L. Bi-
shop of Wynchester. VVhen your L. shalbe able &c. I shall
ioyne this issue vvith your L. &c. But it is farre otherwise
in your booke deliuered to me, namely: To the Queenes
highnes cōmissions. VVhen ye the Queenes highnes cōmis-
sioners shalbe hable &c. I shall iojne this issue vvith you, that
vvhen any one of you, the Queenes highnes cōmissions. &c.
From October, at what time you were sente to me, vnto
the ende of January, there was daily conference betwixte
vs in mattiers of Religion, but chiefly touchinge the
fower poyntes, whiche you terme scruples & stayes of con-
science, and that by worde of mouthe, and not by any wri-
tinge. In all whiche pointes, you were so answered, that
you had nothinge to obiecte, but seemed resolved, and in a
manner fully satisfied. Whereuppon, I made afterwarde
relation (of good meaninge towarde you) to certaine ho-
nourable persones of the good hope I had cōceyued of your
conformitie. At whiche time, a certaine friende of yours
standing by, & hearing what I had declared then to the ho-
norable in your cōmendacion, did shortly after reporte the
same vnto you, which as it seemed you did so much mislike
(doubtinge that your confederates should vnderstande of
your reuolt, whiche they euer feared, hauing experience of
your shynkyng from them at Westminster in the confes-
rence there, the firste yere of the Queenes Maiestie) that
after that time I founde you alwaies muche more repug-
nant,

nant, and contrary to that wherein ye besoze times seemed in manner thoroughly resolved: And also to goe from that you besoze agreed vnto. By reason wherof, when in debating betwixt vs, you vsinge many shiftes, amongst other did continually quarell in Sophistication of wordes, I did will you, to thende we might certainly goe forwarde in the pointes materiall, that you would wyte your Propositions or Assertions in fourme of Propositions: which I coulde not cause you to do in any wise, but yee would still stande vncertainly in grauntinge & denyng at your pleasure: Yea, although I for the better agreement to be had, did drawe such in fourme of Assertion, & gaue them in writinge vnto you, as I gathered of your owne mouth to be your opinion: yet would yee in no wise stande to, & rest in any one certainly, but vsed still your accustomed wrangling and wanderinge at large. Whiche your behauiour so muche misliked me, that I coulde not but earnestly charge you with inconstancy, in that yee would sometimes denie, that yee besoze had graunted: and also graunt, that yee besoze had denied. Then beyng so muche pressed herewith, and perceyuing that your sroward quarellinge with the plaine wordes of the Statute, coulde no lenger couer your euill meaninge, at the length you did require, that I would put in writinge the wordes of the Act, with the sence or interpretation added thereunto, as you consideringe theruppon, might deuise the fourme of your Propositions, wherupon we might afterwarde debate. By this it may appeare, bothe how vnttrue it is, that you hitherto had deliuered vnto me any such scruples of yours in writinge, as you pretende in the title (for then I needed not to haue sought any Propositions of your Assertions) and also how vnttrue this is, that the interpretation of the Acte whiche I wrote at your request, besoze I ever sawe any

any writinge of yours, was to aunswere your scruples and staies deliuered to me in writinge.

After this in February following, certaine persones of worship resorted to my house, partly to see me, & partly to heare somewhat betwixt me and you. And after that wee had reasoned in certaine pointes touching Religion, wherein yee seemed openly to haue litle matter to stande in, but rather did yelde to the mooste in substance that I had saide: neuerthelesse beinge after withdrawn in some of their companies, although yee did seeme openly to consent and agree with me in that I had said: Yet (saide you,) The matter it selfe is grounded here, (pointing to your breast) that I shall neuer goo out. Which beinge tolde me, I did behemētly then challendge you for your double dealinge, and colourable behauiour: sayinge, that I thought you did not that you did, of any conscience at all: & therfore compted it but lost labour, further to trauaile with suche a one as had neither conscience nor cōstancie. But you, to shewe that ye did all of conscience, shewed me both what yee had suffred for the same in diuerse manners, and also howe the same was grounded in you longe before. For proufe whercof, yee offred to shewe me a booke of yours, that yee had deuised in the Tower, & the same shortly after did deliuer vnto me, not as your scruples and doubtēs to be resolved at my hande, wherein yee seemed in our conference before had, resolved: but onely to declare, that the matter had been longe before settled in you, and this was thonly and more occasion of the deliery of the saide booke vnto me, entituled as is before declared: not otherwise.

But as you haue cast a miste before the eies of the readers, vnder the speache of a deliery in writinge, without notinge of any circumstance that might make the matter clere, wherein you shewe your selfe to haue no good mea-

ninge: euen so haue you set forth resolucions of your own deuise vnder my name, bicause you are ashamed to vtter mine, whereunto you yeldeb, and were not hable to answer.

M. Fekenham.

For asmuche as one chiefe purpose and entent of this Othe is, for a more saulfgarde to be had of the Queenes royall personne and of her highnes most quiet and prosperous reigne: I doo here presently therfore offer my selfe to receiue a corporall Othe vppon the Euangelistes, that I doo verily thinke and am so perswaded in my conscience, that the Queenes highnes is thonly supreme gouernour of this realme, and of all other her highnes Dominions and Countreis accordinge as the expresse vvoordes are in the beginning of the saide Othe. And further I shall presently svveare, that her highnes hath vnder God, the soueraignie and rule ouer all manner of persones borne vwith-in these her highnes realmes of vyhat estate (either Ecclesiasticall or Temporall) so euer they be.

The B. of Wynechester.

How so euer by wordes you woulde seeme to sende her Maiesties saulftie, quietnes, and prosperous reigne, your dedes declare your meaninge to be cleane contrary. What saulftie meane you to her person, when you bereue the same of a principall parte of the royall power? what quietnesse seeke you to her persone, when one chiefe purpose and entent of your booke published, is to stay & bring her subiectes to an heretical misliking of her royall power, whiche is a preparation to rebellion against her persone? How much prosperitie you wishe to her Maiesties reigne appeareth, when that with deepe sighes and grones you looke daily for a chaunge therof, and tharche Heretique of Rome, your God in earth, to reigne in her place. If I knewe you not right well, I shoulde maruaile, that you shame not to affirme, sayinge: I doo here presently therfore offer

offer my selfe to receyue a corporall Othe: and further I shall presently fyveare &c. Seeinge that you neuer made to me any motion of suche an offer, neither did I at any time require you to take any Othe.

You thinke & are so perswaded in conscience (if a man may trust you) that the Quēnes highnes is the only supreme gouernour of this Realme, and of al her dominions and countries, and hath vnder God, the soueraigntie and rule over all manner of persones, bozne within her dominions of what estate either Ecclesiasticall or Temporall so euer they be. Wherunto I adde this consequent which doth necessarily follow, Ergo: Your holy father the Pope is not (as you thinke in your conscience) the supreme gouernour over her highnes dominions, nor hath the soueraigntie or rule vnder God over any personnes bozne within the same.

The Quēnes maiestie muste needes herein take you but for a dissembling flatterer, in that you wil seme sometime in generall speech, to attribute vnto her thonly Supremacie vnder God, over her dominions and subiectes whiche you meane not, for within a while after in plaine wordes you denie the same. And your holy Father will gene you his curse, for that being his swozne Advocate, at the first entry in to the plea, you geue from him the whole title of his vntust claime, to wit, the supreme gouernaunce over the Quēnes highnes dominions and people. You must now therefore make some shifte, and call to remembrance one sleight or other by some distinction, whereby to auoide your holy Fathers curse, that you may continue vnder his blessinge. You will expounde your meaninge by restreiguyng the supreme gouernment of the Quēnes maiestie onely in causes Temporall, and not in causes or thinges Ecclesiasticall. But this distinction cometh too late,

late, and will doe you no ease, for that in both these kindes of causes you haue already graunted vnto her the onely supreme gouernment: and that as you verily thinke perswaded in conscience: wheruppon you offer to receiue a corporall Othe vpon the Euangelistes. And this your graunt passed from you by these wordes: Ouer all manner persones borne vvithin her dominions of vvhat estate either Ecclesiasticall or Temporall so euer they be: In this that you graunt vnto her highnes thonly supreme rule ouer the Lay and Ecclesiasticall persones: you haue also concluded therewith in all causes bothe Ecclesiasticall and Temporall, whiche is plainely and firmly proued by this argument followyng.

Definition
of a gouernour.

A supreme gouernour or ruler is one, who hath to ouersee, guyde, care, prouide, order and direct the thinges vnder his gouernment and rule, to that ende, and in those actions whiche are appointed and doe properly belonge to the subiect or thinge gouerned. So that in euery gouernment and rule there are three thinges necessarily concurraunt: the Gouernour, the Subiect, or matter gouerned, and the object or matter wherabout and wherein the gouernment is occupied & doth consist. But the Quenes highnes, by your owne confession, is the onely supreme gouernour ouer al manner persones Ecclesiasticall borne within her dominions: Ergo: Her highnes thonly supreme gouernour ouer suche persones hath to ouersee, guyde, care, prouide, order, and direct them to that ende and in those actions whiche are appointed and doe properly belonge to Ecclesiasticall persones. And so by good consequent you haue renounced al foraine gouernment. For this exclusiue, Onely, doth shut out all other fro supreme gouernment ouer Ecclesiasticall persones: and also pee doe affirme the Quenes maiestie to be supreme gouernour

nour in those actions whiche are appointed, and that do properly belonge to Ecclesiasticall persones, which are no other but thinges or causes Ecclesiasticall,

M. Fekenham.

And of my parte I shall svveare to obserue and perfourme my obedience and subiection vvith no lesse loyaltie and faithfulness vnto her highnes, then I did before vnto Queene Mary, her highnes sister of famous memory, vnto vvhome I vvas a svvorne Chaplaine and most bounden.

The B. of Wynchester.

Like an vnfaithful subiect contrary to your Othe made to Kinge Henry, and continued all the reigne of Kinge Edward, you helpt to spoile Quene Mary of famous memory of a principall parte of her royall power, righte and dignitie, whiche she at the beginninge of her reigne had, enioyed, and put in vze. The same obedience & subiection, with the like loyaltie and faithfulness, yee will sweare to obserue & perfourme to Quene Elizabeth, but she thanketh you for naught, she will none of it, she hath espied you, and thinketh, yee profer her to muche wronge.

M. Fekenham.

And touchyng the rest of the Othe, vvhereunto I am required presently to svveare, viz. That I doo vterly testifie and declare in my conscience, that the Queenes highnes is the onely supreme gouernour of this realme, asvvell in all Spirituall or Ecclesiasticall thinges or causes, as Temporall: I shall then of my parte be in like readines, to receiue the same, vvhen your L. shalbe able to make declaration vnto me, hovv and by vvhat meanes, I may svveare therunto, vvithout committinge of a very plaine and manifest periury: vvhiche of my parte to be committed, it is damnable sinne, and against the expresse vvoorde of God vvriten, Leuit. cap. 19. Non periurabis in nomine meo, nec pollues nomen Dei tui. And of your parte to prouoke

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me or require the same, it is no lesse damnable offence. S. Augustine in vvitness thereof, saith: Ille qui hominem prouocat ad iurationem &c. He vvho doth prouoke an other mā to svveare, and knowveth that he shall forsvveare him selfe, he is vvorse then a murtherer: bicause the murtherer sleeth but the body, and he sleeth the soule, and that not one soule, but vvwo as the soule of him vvhome he prouoketh to periury, and his ovvne soule also by ministringe the occasion thereof. And the pointes of this Othe, vvhereunto I cannot presently svveare vvithout moste plaine and manifest periury, are these fover follovvinge.

The B. of Wynchester.

As in that whiche goeth befoze, you covertly vttered many vntueths: although sometime yē stumble on the trueth against your will: so in the rest you fall to plaine & manifest vntueths: least men shoulde not perceiue what you are. You were neuer by me required to sweare, and therefore this is an impudent kinde of dealinge, to say: Vvherunto I am presently required to svveare, &c. I had none authoritie nor cōmission to require the Othe of you, neither might I tender it vnto you without perill to my self: you beinge committed vnto me by the moste Honourable Counsaile, without whose order, I coulde attempt no such mattier. You haue already shewed in plaine matter, although not in plainnesse of speech, & that as you thinke, & are perswaded in conscience, y her highnes is the supreme gouernour, so well in causes Ecclesiastical as Temporal. For hauinge supremacie ouer the Ecclesiastical persone, the same beinge not otherwisse persone Ecclesiastical, but in respect of Ecclesiastical functions, thinges & causes annexed and properly belonging to Ecclesiastical persones: she hath the Supremacie ouer the person in Ecclesiastical functions, thinges & causes, these beinge the onely matter or obiect where about or wherein the rule ouer an Ecclesiastical persone is occupied and doth consist.

This sameth to be your glozy amongst your friendes, & you

you make me an offer, to receiue this part of y^e Othe, whē I shalbe able to declare by what meanes you may sweare without comittinge plaine & manifest periury: Mine abilitye herein shall appeare in mine answere to your foure points: God make you as readie to perfourme, for dueties sake, as ye wil seeme ready to offer, wherby to purchase to your self a glorious estimation. But wherfore did you not make this offer vnto me, either by worde or writing all y^e time of your aboade with me: You plaie now after your returne into your holde, as you did after y^e Parliament before you came out of y^e Tower to me. When you saw the ende of the Parliament, & vnderstode right wel, y^e the Othe was not like to be tendered vnto you, than sent you copies of y^e booke deuised for your answere touchyng y^e Othe, abzoade to your friendes, to declare your constancy & arcdines, to refuse y^e Othe, wherby they might be the rather enduced, to continue their good opiniō conceiued of you, & also pay your chardges weakely in the Tower sent vnto you euery Saturday by your seruauant, who wrote & deliuered y^e copies abzoade, as you tolde me your self. Now you are returned againe in to the Tower, & perceiuing y^e your friendes, (as you gaue the iust cause) haue some mistrust of your reuolt & waueryng inconstacie, wherby your estimation & fame, with their seruice to your God y^e belly is decayed, you haue deuised to set abzoade the selfe same booke againe y^e you did before, & to the selfe same ende, altering or chaunging nothing at al, sauing that you haue geuen it a newe name & Title, & seeme as in this place, as though y^e spake to me by these wordes: vhen your L. &c. When as in very dedde, there was neuer any such worde spoken or written to me: and in the booke you deliuered to me, your speache is directed to the commissioners, and not to me, in these wordes: Vhen ye the Queenes highnes cōmissioners I halbe able &c.

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M. Fekenham.

First is, that I must by a booke Othe vterly testifie, that the Queenes highnes is the onely supreme gouernour of this realme, and that asvvel in al Spirituall or Ecclesiasticall things or causes, as Temporall. But to testifie any thinge vppon a booke Othe, no man may possibly therein auoide periury, except he doo first knowv the thinge vvhiche he doth testifie, and vvhetherof he beareth vvitness and geueth testimony. And touchyng this knowvledge, that the Queenes maiestie, is the onely supreme gouernour asvvel in Spirituall or Ecclesiasticall causes as in Temporall, besides that I haue no suche knowvledge, I knowve no vvay nor meane vvhereby I shoulde haue any knowvledge thereof. And therfore of my parte to testifie the same vppon a booke Othe, beinge vvithout (as I am in deede) all knowvledge, I cannot vvithout committinge of plaine and manifest periury. And herein I shal ioine this issue vvith your L. that vvhen your L. shalbe able, either by suche order of gouernement, as our Sauour Christe lefte behinde him in his Gospell and newe Testament, either by the vvritinge of suche learned Doctours both Olde and Newe, vvhiche haue from age to age vvitnessed the order of Ecclesiasticall gouernment in Christes Church, either by the generall Councelles, vvher, in the right order of Ecclesiasticall gouernment in Christes Church, hath beene most faithfully declared and shewed fro time to time: or elles by the continuall practice of the like Ecclesiasticall gouernment, in some one Church or parte of all Christendome. VVhan your L. shalbe able by any of these fowver meanes, to make proufe vnto me, that any Emperour, or Empreffe, Kinge or Queene, may clayme or take vpon them any suche gouernment, in Spirituall or Ecclesiasticall causes: than I shal herein yelde, and vvith most humble thanks reken my selfe vvell satisfied, and shal take vpon me the knowvledge thereof, and be ready to testifie the same vppon a booke Othe.

The B. of Wyndchester.

The reason or argument y moueth you, not to testifie vpon a booke Othe, the **D.** Supremacy in causes Ecclesiasticall, is this: No man may testifie by Othe that thing wherof

whereof he is ignorant and knoweth nothinge, without committinge periury. But you neither knowe that the M. highnes is the onely supreme gouernour aswel in causes Ecclesiasticall, as Tempozall: neither yet know you any way or meane wherby to haue any knowledge therof: Therfore to testifie the same vpon a booke Mthe, you cannot without committing of plaine and manifest periury.

For answere to the Minor or seconde Proposition of this argument: Although I might plainly denie, that you are without all knowledge, and vtterly ignorant bothe of the matter and of the way or meane, howe to come by knowledge therof, and so put you to your prouise, wherein I know, you must needs faile: yet will I not so answere by plaine negatiue, but by distinction or diuision of ignorance. And so for your better excuse, declare in what sorte you are ignorant and without all knowledge. There are three kindes of ignorantes, the one of simplicitie, the other of wilfulnes, and the thirde of malice. Of the first sort you cannot be, for you haue had longe time, good oportunitie, muche occasion, and many waies, wherby to come to the knowledge hereof. Yea, you haue knowen & profest openly by dedde and worde the knowledge hereof many yeres together. For you did know, acknowledge, and confesse, this supreme authoritie in causes Ecclesiasticall to be in Kinge Henry the eight and his heyres, when your Abbay of Cuesham, by common consent of you and the other Monkes there vnder your couet seale, was of your own good willes without compulsion surrendred in to his handes, and you, by his authoritie, reformed, forsooke your folishe bowe, & many horrible errours, and superstitions of Monkeho, and became a secular Priest, and Chaplaine to D. Bell, and afterwarde to D. Boner, & so duringe the life of King Henry the eight, did agnise professe and teache openly in

Thom. A-
quin. quest.
3. de malo.

your sermons the kinges Supremacie in causes Ecclesiastical. This knowledge remained stedfastly in you all the time of king Edward also. For although you were in the Tower in his time, yet was not for any doubt you made of his Supremacie, for that you still agnised: but for other pointes of Religion touching the ministracion of the Sacramentes, wherunto you also agreed at the last, & promised to profess, & preache the same in open auditoꝝ whersoever you should be appointed. Whereupon a right worshipfull gentleman procured your deliuerance forth of the Tower, and so were you at liberty, neuer mentioninge any doubt in this matter; but agnising the Princes Supremacie in causes Ecclesiastical. Wherefore I may saulfly say, that the ignoraunce and wante of knowledge whiche you pretende in your Minor Proposition, is not of simplicitie, and therfore must nedes be of wilfulnes, or malice, or mixte of bothe.

The way and meane wherby to haue this ignoraunce remoued, you assigne with this issue, that when I proue vnto you, by any of the sower meanes, yet any Emperour, or Emperesse, King or Queene may take vpon them any suche gouernment in Spirituall or Ecclesiastical causes, then you wil yelde, take vpon you the knowledge therof, & be ready to testifie y same by booke or the. Truly, I haue often and many times proued this same that you require, & by the selfe same meanes in such sort vnto you, that you had nothinge to say to the contrary. And yet neuertheless you continue stil in your wilfull and malicious ignorance, whiche causeth me to feare that this sentence of the holy ghost wilbe verified in you: *In maleuolam animam non introibit sapientia*. Yet I will ones againe proue after your desire, even as it were by puttinge you in remembraunce of those thinges whiche by occasions in conference,

ference, I often and many times reported vnto you, wherof I knowe you are not simply ignoraunt.

You require a prouise hereof, that an Emperour or Emperesse, Kinge or Quene, may claime or take vppon them any suche gouernment (meanyng as the Quenes maiestie, our Soueraigne, doth now chalendge and take vppon her) in Spirituall or Ecclesiasticall causes. For aunswere I say, they ought to take vppon them suche gouernement, therefore they maye lawfully do it.

The former parte is sounde trewe by the whole discourse of the holy Scriptures bothe of the Olde and newe Testament: by the testimony of the Doctours in Christes Church: by the generall Counsailes: and by the practise of Christes Catholique Church thozough out all Christendome.

The holy Scriptures describinge the condicions, and properties required in a Kinge, amongst other doth commaunde, that he haue by him the booke of the Lawe, and do diligently occupy him selfe in readinge thereof, to the ende he maye thereby learne to feare the Lorde his God, (that is, to haue the feare of God planted within him selfe in his owne harte) to keepe all the wordes, and to accomplishe in dede all the ordinaunces, or (as the olde translation hath it) all the ceremonies by God commaunded (that is) to gouerne in suche sorte. *That he cause, by his Princely authoritie, his subiectes also to become Israelites.*

To witte, menne that see, knowe, and vnderstande, the will of God. Redresse the perversenes of suche as swerne from Goddes ordinaunces or ceremonies.

Wherevppon it is, that God dothe commaunde the Magistrate, that he make diligent examination of the Doctrine taught by any, and that he do sharpely punish bothe the teachers of false and superstitious Religion, with the folowers, and

Deuter. 17.

The duety
of a Kinge.

Glos. or-
dinar.

Aben. Ezra.

Deuter. 13.

and also remove quite out of the waye all manner of evil.

The beste and most godly Princes that ever governed Goddes people, did perceiue and rightly vnderstande this to be Goddes will, that they ought to haue an especiall regarde and care for the orderinge and settinge forth of Goddes true Religion, and therefore vsed great diligence with feruent zeale to perfourme and accomplishe the same. Moses was the supreme gouernour ouer Goddes people (e was not the chiefe Priest or Bishop, for that was Aaron) whose authoritie, zeale, and care in appointinge and orderinge Religion amongst Goddes people, prescribinge to al the people, yea to Aaron and the Leuites, what, and after what sort, they shoulde execute their functions, correctinge and chasteninge the transgressours, is manifestly set forth in his booke called the *Pentateuche*. After the death of Moses, the people as yet not entred and settled in the promised Lande, the charge of chiefe gouernment ouer Goddes people both in causes Tempozall and Ecclesiasticall, was committed to Iosue, and not to Eleazar, for to him belonged onely the ministracion of the thinges belonginge to the Priestly office. And to Iosue the Prince belonged the oversight both ouer the Priests and people, to gouerne, guide, order, appoint and direct eche estate, in all thinges that appertained to eche of their callinges. Of the one yee seme to haue no doubt at all: the other is as plaine. For at the appointment of Iosue, the Priests removed the Arke of couenaunt and placed the same. He did interprete vnto the people the spirituall meaninge of the twelue stones, whiche they had taken by Goddes commaundement south of Iordan to be as Sacramentes or Signes. He circūcised the childezen of Israell at the second time of the great and solempne Circumcision. He calleth the

Iosue. 3.

Iosue. 4.

Iosue. 5.

the Priests, commaundeth some of them to take vp the
 Lordes Arke: other seven of them to blowe seven trom-
 pettes befoze the Arke, & appointeth to them the order of
 proceedinge. He builded an altar vnto the Lord God of
 Israel, accoꝝdinge to y^e Lawe of God: he sacrificed thereon,
 burnt sacrifices and burnt offringes: He wrote there v-
 pon the stones, the Deuteronomy of Moyses: He redde all
 the blessinges and cursinges, as they are set foorth in the
 booke of the Lawe: And he redde all what so euer Moyses
 had commaunded befoze al the cōgregation of Israel, &c.
 Last of al Iosue, to shewe that causes of Religion did spe-
 cially belonge to his charge and care, maketh a long and
 a beheement oration vnto the Israelites, wherein he exhor-
 teth them to cleane vnto the Lord with a sure faith, a
 constant hope, and a perfect loue, obetynge and seruinge
 him with suche seruice as he hath appointed in his Lawe.
 And doth zelously and with great threates dissuade them
 from all kynde of Idolatry and false Religion.

Iosue. 6.

Iosue. 8.

Iosue. 23. 24

2. Sam. 5.

Dauid whom God appointed to be the pastour, (that
 is, the king ouer Israel) to feede his people, did vnderstande
 that to this pastoral office of a kyng, did belong of dutie,
 not only a charge to prouide that the people might be go-
 uerned with iustice, and liue in ciuill honestie, peace, and
 tranquillite, publique and priuate: but also to haue a spe-
 cial regarde and care, to see them fed with true doctrine,
 and to be fostered vp in the Religion, appointed by God
 him selfe in his Lawe. And therfoze immediatly after he
 was with some quietnes settled in his royal seate, the first
 thing that he began to resourne and restore to the right
 order, as a thing y^e appertained especially to his princely
 charge and care, was Goddes Religion & Seruite, whiche
 had been decayed and neglected longe befoze in the tyme
 of king Saul. For the better persourmaunce whereof, as

1. Paral. 13.

1. Paral. 15.

1. Paral. 16.

3. Reg. 2.

3. Reg. 5.

the supreme governour over all the estates bothe of the
Laytie and of the Clergie, in all maner of causes: after
consultation had with his chief Counsaillours, he calleth
the Priestes and Levites, and commaundeth, appointeth,
and directeth them in al maner of things & causes, apper-
taining to their ecclesiasticall functions & offices. He pre-
pareth a seemely place for the Arke in his own Citie. He
goeth with great solēpnitie to fetch the Arke of the lord.
He commaundeth Sador & Abiathar the priestes, and the
chief among the Levites, to sanctifie them selves with
their brethren, & then to cary the Arke vpon their shoul-
ders vnto the place appointed. He comptrolleth them that
the Arke was not caried before on their shoulders accor-
ding to the Lawe: and therfore layeth to their charge the
breach that was made by the death of Ula. He commaun-
deth also the chief of the Levites, to appointe among their
brethren, Musicians to playe on dyuers kyndes of instru-
mentes, and to make melodie with ioyfulness. He sacrificeth
burnt and peace offerings. He blessed the people in
the name of the Lorde. He appointeth certeine of the Le-
uites, to minister continually before the Arke of the Lord,
to reherse his great benefites, to the honour & prayse of
the lord God of Israel. And for that present tyme he made
a Psalm of Gods prayse, and appointed Asaph & his bre-
thren to prayse God therewith. He ordeyned the Priestes,
Leuites, singers, and Porters, and in som, he appointed &
ordered all thofficers & offices, required to be in the house
of the Lord, for the setting forth of his service & Religion.
Salomon deposed Abiathar the highe Priest, and pla-
ced Sador in his roome. And he builded the Temple, pla-
ced the Arke in the place appointed for the same. Hallow-
ed or dedicated the Temple, offered sacrifices, blessed the
people, directed the Priestes, Levites, and other church
officers,

officers, in their functions, according to the order before taken by his father David. And neither the Priests nor Levites, *2. Paral. 8.* *forerued in any thing (pertaining to their office) from that, that the king commaunded them.*

Josephat hath no small commendation in the Scriptures, for that he so studiously used his princely authority in the reformation of Religion, and matters appertaining, thereunto. He removed at the first beginning of his reigne *2. Paral. 17.* *Gloss. ord.* all manner of false Religion, and what so ever might be cause of offence to the faithfull. He sent forth through his kyngdome Visitours, both of his Princes, and also of the Priests & Levites, with the booke of the Lawe of the Lorde, to the ende they should instruct, & teache the people, & resourme all manner abuses in ecclesiastical causes according to that booke. After a while he made a progresse in his own person throughout all his countrey, and by his preachers reduced and brought againe his people from superstition, & false Religion, unto the Lorde the God of their fathers. *2. Paral. 19.* He appointed in every towne throughout his kyngdome, as it were Justices of the peace, suche as feared the Lord, and abhorred false Religion, to decide controuersies in ciuill causes: and in like sort he appointed and ordeined the high Priestes with other Priestes, Levites, and of the chief rulers among the Israelites, to be at Hierusalem to decide, and iudge controuersies of great weight, that should arise about matters of Religion and the Lawe. He did commaunde and prescribe vnto the chief Priestes and Levites, what forme and order they shoulde obserue in the ecclesiastical causes and controuersies of Religion, that were not so difficult and weightie. And when any token of Goddes displeasure appeared, either by warres or other calamitie, he gaue order to his subiectes for comon prayer, *2. Paral. 20.* and enioyned to them publique faste, with earnest preaching

ching of repentaunce, and seeking after the will of the
Lorde to obey and followe the same.

4. Reg. 18.

Ezechias the kyng of Iuda, hath this testimony of the
holy Ghost, that the like governour had not been, nei-
ther should bee after hym amongst the kynges of Iuda.
For he cleaved vnto the Lorde and swerued not from the
preceptes whiche the Lorde gaue by Moyses. And to ex-
presse, that the office, rule, and gouernement of a godly
kyng consisteth, and is occupied accordyng to Gods ordi-
nauce and precept, first of all in matters of Religion,
and causes Ecclesiastical, the holy ghost doth commend
this kyng for his diligent care in refoürming Religion.
He toke quite away (saith the holy ghost) al maner of Ido-
latry, superstition, and false Religion, yea, even in the
first yere of his reigne, and the first moneth he opened the

2. Paral. 29.

doores of Goddes house: He calleth as it were to a Syn-
ode the Priestes, and Levites, he maketh vnto them a
long and pithy oration, declaringe the horrible disorders
and abuses that hath been in Religion, the causes, and
what evils folowed to the whole Realme therupon: He
declareth his full determination to restore and refoürme
Religion accordyng to Gods will. He commaundeth them
therfore, that they layng aside all errors, ignorance,
and negligence, do the partes of faithfull ministers.
The Priestes & Levites assembled together, did sanctifie
them selues, and did purge the house of the Lorde from al
uncleanes of false Religion, at the commaundement of the king
concerning thinges of the Lorde. That done, they came vnto
the kyng, and made to hym an accompt and report what
they had done. The kyng assembleth the chiefe Rulers of
the Citty, goeth to the Temple, he commaundeth the
Priestes and Levites, to make oblation and sacrifice for
whole Israel. He appointeth the Levites after their or-
der in

der in the house of the Lorde, to their muscally instruments, and of the Priestes to play on Shalmes, according as David had disposed the order by the counsell of the Prophetes. He and the Princes commaundeth the Levites to prayse the Lorde with that Psalm that David made for the lyke purpose. He appointed a very solemne keeping and ministring of the Pascheouer, wherunto he exhorteth all the Israelites, and to tourne from their Idolatry and false Religion unto the Lorde God of Israel. He made solemne prayer for the people. The kyng with comfortable wordes encouraged the Levites that were zelous, and had a ryght iudgement of the Lorde, to offre sacrifices of thanks geuing, and to prayse the Lorde the God of their fathers, and assigned the Priestes and Levites to mynister, and geue thanks, according to their offices in their courses and tournes. And for the better continuance of Gods true Religion, he caused a sufficient and liberall prouision to bee made from the people, for the Priestes and Levites, that they myght wholly, cheerfully, and constantly, serue the Lorde in their vocations. These doynges of the kyng Ezechias touchynge matters of Religion, and the reformation thereof, sayth the holy ghozt, was his acceptable service of the Lorde, dutifull both to God and his people.

2. Paral. 30.

2. Paral. 31.

Josias had the like care for Religion, and used in the same sort his princely authoritie, in refovrning all abuses in all maner causes ecclesiastical. These godly kynges claymed and toke upon them the supreme gouernement ouer the ecclesiasticall persons of al degrees, and did rule, gouerne, and direct them in all their functions, and in all maner causes belonging to Religion, and receyued this witnes of their doinges, to wyt, that they did acceptable service, and nothing but that whiche was ryght in Gods

4. Reg. 23.

light. Therfore it followeth well by good consequent, that
 kynges or Queenes may claime and take vpon them
 suche gouernement in thynges or causes ecclesiasticall.
 For that is ryght, sayth the holy ghost: they should haue
 done so long if they did it not.

You suppose, that ye haue escaped the force of all these
 and such lyke godly kynges (which do maruellously shake
 your holde) and that they may not bee alledged against
 you, neither any testimony out of the olde testament, for
 that ye haue restreigned the prouise for your contentation,
 to suche order of gouernement as Christ hath assigned in
 the Gospell, to be in the tyme of the newe Testament,
 wherein you haue sought a subtile shift. For whyles ye
 seeke to cloke your errour vnder the shadowes of Christes
 Gospell, you bewray your secretes heresies, turning your
 selfe naked to be seen of all men, and your cause notwith-
 standyng, left in the state it was before, nothing holpen
 by this your poore shift of restreynnt. So that where your
 friendes toke you before but only for a Papist: now haue
 you shewed your selfe to them playnly herein to be a Do-
 natist also. When the Donatistes troubled the peace of
 Christes catholique Church, and deuided them selues fro
 the vnitie thereof, as now you do: The godly fathers tra-
 uailed to confute their heresies by the Scriptures, both of
 the olde and newe Testament: and also craued ayde and
 assistance, of the Magistrates and Rulers to resourme
 them, to reduce them to the vnitie of the Church, & to re-
 presse their heresies, with their authoritie & godly lawes
 made for that purpose, to whome it belonged of dutie, and
 whose especial service to Christe is, to see, care, and pro-
 uide, that their subiettes be gouerned, defended, & main-
 tained in the true and sincere Religion of Christ, without
 all errors, superstitions and heresies, as S. Augustine
 proueth

proueth at large in his epistle against Vincentius a Ro-
 gate, in his epistle to Bonifacius, and in his booke
 against Petilian, and Gaudentius letters. Against this
 catholique doctrine, your successors the Donatistes, a-
 ryse by and defende them selues with this colour of pre-
 tence, that they be of the catholique fayth, and that their
 church, is the catholique church: (Which shifte for their
 defence against Gods truthe, the Popes sectaries do vse
 in this our tyme, being no more of the one, or of the other,
 than were the Donatistes and suche lyke, of whom they
 learned to couer their horrible heresies vnder the same
 fayze cloke) that the secular Princes haue not to medle in
 matters of Religion or causes ecclesiasticall. That God
 committed not the teaching of his people to kynges, but
 to Prophetes. Christe sent not souldiours but fishers, to
 bring in and further his Religion, that there is no exam-
 ple of such ordre, founde in the Gospel or new Testamēt,
 wherby it may appeare, that to secular Princes it belon-
 geth to haue care in matters of Religion. And that (as it
 semeth by that S. Augustine by preuenttion objecteth a-
 gainst them) they subtilly refused all prouises or cramples
 adouched out of the olde Testament (as ye craftely do al-
 so, in bynding me onely to the new Testament) which S.
 Augustine calleth, an odious and wicked guyle of the Donatistes.
 Let your friendes now, whom ye wil seeme to please so
 muche, when you begyle them moste of all, weigh with
 aduysment, what was the erroneous opinion, thouching
 the authoritie of Princes in causes ecclesiasticall of the
 Donatistes (as it is here rightly gathered forth of S. Au-
 gustine) and let them consider wysely these soule shiftes
 they make for their defence: And then compare your opi-
 nion and guylefull defences thereof to theirs, and they
 must needs clappe you on the backe, & say to you *Paritas*
 (if there

Epist. 48.
 Epist. 50.
 Lib. 2. cont.
 lit. Pet.
 Lib. 2. cont.
 Epi. Gaud.

August.
 Epist. 48.

Cont. lit.
 Petil. lib. 2.
 esp. 92.
 Lib. 2. con.
 Epist. 2.
 Gaud. ca. 26
 Epist. 48.
 & 50.

Lib. 2. cont.
 lit. Petil.
 ca. 92.

(if there be any bright iudgement in them) demping you
so lyke your great grandfater Donatus, as though he had
spit you out of his stone mouth. But for that S. Augu-
stines iudgement and myne, in this controuersie is al one,
as your opinion herein differeth nothyng at all from the
Donatistes: I wyll vse no other confirmation of my
proues alledged forth of the olde Testament, for the re-
proue of your guylful restraint, the Chyistes catholique
Church, vttered by that catholique Doctour S. Augustine,
against al the sectes of Donatistes, whether they be Cau-
dentians, Petilians, Rogatistes, Papistes, or any other
petit sectes sprong out of his loynes, what name so euer
they haue.

S. Augustine against Caudentius, his second epistle
affirmeth, sayng: I haue (saith he) already heretofore made it
manifest, that it appertained to the kinges charge, that the Niniuites
shoulde pacifie Goddes wrath, whiche the Prophet had denounced vnto
them. The kinges whiche are of Christes Church, doo iudge moste
rightly that it apperteineth vnto their cure that you (Donatistes) rebell
not without punishment against the same. &c. God dooth inspire
into kinges, that they shoulde procure the commaundement of their
Lorde, to be perfourmed or kept in their kingdome. For they to whom
it is said: and now ye kinges vnderstande, be ye learned ye Iudges of
the earth, serue the Lorde in feare: doo perceiue that their authoritie
ought so to serue the Lorde, that suche as will not obey his will, shuld
be punished of that authoritie. &c. Yea, saith y same S. Aug.
Let the kings of the earth serue Christe in making lawes for Christ
meaning for the furtherance of Chyistes religio. How then
doth kinges (saith S. Aug. to Bonifacius, against y Dona-
tistes) serue the lord with reuerence, but in forbidding and punishing
with a religious seueritie, such thinges as are done against the Lordes
commaundementes. For a king serueth one way in that he is a man, an other
way, in respect that he is a king. Bicause in respect that he is but a
man,

Epist. 48.

Epist. 50.

man, he serueth the Lorde in liuing faithfully: but in that he is also a kinge, he serueth in makinge Lawes of conuenient force to commaunde iust thinges, and to forbidde the contrary, &c. In this therefore kinges serue the Lords when they doo those thinges to serue him, which they could not doo were they not kinges, &c. But after that this began to be fulfilled which is written: and all the kinges of the earth shall worship him, all the Nations shall serue him, what man being in his right wittes, may say to kinges? Care not you in your kingdomes, who defendeth or oppugne the Church of your Lorde? Let it not apperteyne, or be any part of your care, who is religious in your kingdome, or a wicked deprauer of Religion.

This was the iudgement of S. Augustine, or rather of Christes catholique Church, vttered by hym againste the Donatistes, touching the Service, authoritie, power, and care, that kynges haue or ought to haue in causes spiritual or ecclesiasticall, the whiche is also the iudgement of Christes catholique Church, now in these dayes maintained and defended, by the true mynisters of the same catholique Church, againste all Popishe Donatistes: with the force of Gods holy woorde, bothe of the olde and new Testament, euen as S. Augustine did before. Who to proue and confirme this his assertion to bee true againste the Donatistes, did auouche many mo examples, than I haue cited out of the olde Testament: As of the kyng of Babilone, of Darius, Nabuchodonozor, & others: affirming that the histories and other testimonies, cited for this matter out of the olde Testament, are partly figures, and partly prophecies, of the power, duety, and seruice that kynges should owe and perfourme in like sorte, to the furtherance of Christes Religion, in the time of the new Testament. The Donatistes in the defence of their heresy, restrayned S. Augustine, to the example and testimony, of such like order of Princes Service in matters of Religion,

Religion, to be founde in the Scriptures of the new Testament: meanyng that it could not be found in any order that Christe lefte behynde hym, as you also fantasied when you wrote the same in your booke solowynge, yea, going even cheeke by cheeke with them. But S. Augustine maketh aunswere to you all for hym and me bothe: Who, rehearsing the actes of the godly kynges of the olde Testament, taketh this for a thyng not to be denied, to wytte, That the auncient actes of the godly kynges, mentioned in the Prophetical booke, were figures of the like factes, to be don by the godly Princes in the tyme of the new Testament.

Epist. 48.

And although there was not in the tyme of the Apostles, nor of long tyme after, any kynges or princes, that put the same ordinaunce of Christ in practise, all beyng infideles for the most part: Yet the service of kynges was figured (as S. Augustine saith) in Nabuchodonosor and others, to be put in practice, when this of 71. Psalme should be fulfilled: and all the kynges of the earth shall worshippinge Christ, and all nations shall serve him &c. As yet in the Apostles tyme, this prophecy (sayth he) was not fulfilled: and now ye kynges vnderstande, be learned ye that iudge the earth, and serve the Lorde in feare with reuerence. When the christian Emperours and Princes, (saith this catholique father) shall heare that Nabuchodonosor, after he had seen the marvelous power of almighty God, in saving the three younge men, from the violence of the fire, walking therein without hurt, was so astonished at the miracle, that he himselfe being before this but a cruell Idolator, began forthwith upon this wonderous sight, to vnderstande and serve the Lorde with reuerent feare: Doo not they vnderstande, that these thynges, are therefore written and recited in the Christian assemblies, that these should be examples to them selues of faith in God, to the furtherance of Religion? These Christian rulers therefore minding according to the admonition of the Psalme to vnderstande, to be learned, and to serve the Lord with reuerent feare, do very attētively give care,

Epist. 50.

Epist. 48.

Lib. 2. cont.
lit. Petil.
ca. 92.
Danie. 3.

and

and marke what Nabuchodonozor after said: for he, saith the Prophet, made a decree or statute, for all the people that were vnder his obeisance: that who so ever shuld after the publicatio thereof, speake any blasphemy against the almighty, they should suffer death, and their Goodes be confiscate. Now if the Christian Emperours, and kinges, doo know, that Nabuchodonozor made this decree against the blasphemers of God, surely they cast in their myndes, what they are bounde to decree in their kingdomes, to witte, that the selfe same God, and his sacramentes, be not lightly set by and contemned. Thus saith **S. Augustin**: By whose iudgement, being also the iudgement of the catholique church, it is manifest, y the order, rule, and gouernement, in Ecclesiasticall causes, practised by the kynges of the olde Testament, beyng figures and propheties, of the lyke gouernement, and seruice, to be in the kynges vnder the newe Testament, is the order of gouernement, that Chzist left behynde him in the Gospell and newe Testament: and so directely confuteth your erroneous opinion. Nowe I wyll conclude on this sorte, that whiche I affirmed: namely that kynges, and Princes, ought to take vpon them gouernement in Ecclesiasticall causes.

What gouernement, orde, and dutifulnes, so ever belongyng to any, God hath figured and promysed before hande by his Propbetes, in the holy Scriptures of the old Testament, to be perfourmed by Chziste, and those of his kyngdome: that is the gouernement, orde, and dutifulnes, set forth and required, in the Gospell, or newe Testament. But that faithfull Emperours, kynges, and Rulers, ought of dutie, as belongyng to their office, to claime and take vpon them the gouernement, authoritie, power, care, and seruice, of God their Lozde, in matters of Religion, or causes Ecclesiasticall, was an orde and dutifulnes for them: prefigured and fore promysed of God

Rom. 1.

by his Prophetes, in the Scriptures of the olde Testament, as S. Augustine hath sufficiently witnessed: Ergo Christian Emperours, Kynge, and Rulers, owe of dutie, as belonging to their office, to clayme, and take vpon them, the gouernement, authoritie, power, care, and seruice of God their Lorde, in matters of Religion: or Spirituall, or Ecclesiasticall causes, is the gouernement, order, and dutifulnes, set forth, and required, in the Gospell or newe Testament.

This that hath been already sayd, myght satisfie any man that erreth of simple ignorance. But for that your wilfulnes is suche, that you delight only in wangling against the truthe, appeare it to you neuer so playne, and that no weyght of good proues, can presse you, you are so slippery, I wyll loade you with heapes, euen of suche proues, as ye wyll seeme desirous to haue.

The holy Ghost describing by the Prophet Esay, what shalbe the state of Christes Church in the time of the new Testament, yea now in these our daies (for this our time is the time that the Prophet speaketh of, as S. Paule witnesseth to the Corinthyans) addeth many comfortable promises, & amongst other maketh this to Christes Catholique Church, to witte, Kinges shalbe Nourishing Fathers, and Quenes shalbe thy nourses. Nourishing Fathers saith the glose enterlined, In lacte verbi. In the mylke of the woorde, meaninge Goddes woorde. Lyra addeth: This prophecy is manifestly fulfilled in many Kinges and Quenes, whareceiuing the Catholique Faith, did feede the poore faithfull ones. &c. And this reuerence to be done by Kinges, (saith Lyra) was fulfilled in the time of Constantine and other Christian Kinges. Certainly, Constantine the Emperour, shewed him selfe to vnderstand his owne duty of nourishing Christes Church appointed by God in his Prophecy: for he like a god, reuer,

2. Cor. 6.

Esai. 49.

Lyra in Esai.
cap. 49.

der, and faithful pourcefather, did keepe, defende, main-
 teine, upholde, and fede the poore faithfull ones of Christ:
 he bare them beinge as it were almost, wretched & forhayed
 with the great persecutions of Goddes enemies, and man-
 uelously shaken with the controuersies and contentions
 amongst them selues, euen as a nource father in his
 owne bosome: he procured that they should be fedde with
 the sweete milke of Goddes worde. Yea, he him selfe with
 his publique proclamations, did exhort and allure his subiectes to the
 Christian Faith. As Eusebius doth reporte in many places,
 writinge the life of Constantine, He caused the Idolatrous re-
 ligion to be suppressed, and vtterly banished, and the true knowledge
 and Religion of Christe, to be brought in and planted amonge his peo-
 ple. He made many holsonne lawes, and godly constitutions, where with
 he restrained the people with threatenings, forbiddinge them the sacrifici-
 nge to Idolles: to seeke after the Deuillish and Superstitious soethsa-
 nges: to set vp Images: that they should not make any priuite sacri-
 fices: and to be brieffe, he reformed all manner of abuses, about Gods
 seruice, and prouided that the Church should be fedde with Goddes
 worde. Yea, his diligent care in furtheringe and settinge
 forth the true knowledge of Christe, where with he fedde
 the people, was so watcheful, that Eusebius doth affirme
 him to be appointed of God, as it were the common or vniuer-
 sall Bishop: And so Constantine tooke him selfe to be: and
 therefore saide to the Bishoppes assembled together with
 him at a feast, that God had appointed him to be a Bishoppe.
 But of this moste honorable Bishop & nourishinge father,
 more shalbe saide hereafter, as of other also like like.

Our sauour Christ meante not to forbidde or destroy,
 touchinge the rule, seruice, and chardge of Princes in
 Church causes, that whiche was figured in the Lawe, or
 prophesied by the Prophetes. For he came to fulfill or accom-
 plishe the Lawe and the Prophetes, by remouinge the shadowe

Euseb. li. 3,
 de vita
 Const.

Lib. 2.

Li. 4. de vi-
 ta Const.

Lib. 1.

Lib. 4.

Math. 5.

Math. 22.

Euseb. l. 10. c. 11.

de vita

Constant.

Ibid. l. 10. c. 11.

Ibid. l. 10. c. 11.

Ibid. l. 10. c. 11.

1. Pet. 2.

Rom. 13.

Ibid. l. 10. c. 11.

Epist. 125.

and Figure, and establishing the Body and Substance to be seene, & to appeare clarely without any miste or darke coner: yea, as the power and authoritie of Princes was appointed in the Lawe and Prophetes, as it is proued, to stretch it selfe, not onely to ciuill causes, but also to the ouer sight, maintenaunce, settinge forth, and furtherance of Religion and matters Ecclesiasticall: Euen so Christe our Sauour confirmed this thet authoritie, commaunding all men to attribute and geue vnto Cesar that which belongeth to him: admonishinge notwithstandinge all Princes & people, that Cesars authoritie is not infinite, or without limites (for suche authoritie belongeth onely to the Kinge of all Kinges) but bounded and circumscribed within the boundes assigned in Goddes worde, and so will I my wordes to be vnderstanded, when so euer I speake of the power of Princes.

And this to be Christes order and meaninge, that the Kinges of the nations should be the supreme gouernours ouer their people, not onely in Tempozall, but also in Spirituall or Ecclesiasticall causes, the blessed Apostles Peter and Paule, do plainly declare. The supremacy of Princes they set forth, when they commaunde euery soule (that is euery man, whether he be as Chrysostome saith, an Apostle, Euangelist, Prophete, Priest, Ponke, or of what so euer callinge he be) to be subiect & obey the higher powers, as Kinges and their Lieutenantes, or gouernours vnder them. And thei declare that this supreme gouernment is occupied and exercised in, or about the praylinge, furthering, and aduancinge of vertue or vertuous actions, and contrary wise in correctinge, stayinge, and repressing all manner of vice or vicious actions, which are the proppre object or matter hereof. Thus doth Basilus take the meaninge of the Apostles, sayinge, This seemeth to

me to be the office of a Prince; to ayde vertue, and to impaigne vice.
 Neither S. Paule, neither the best learned amongst the
 auncient Fathers did restraine this power of Princes,
 onely to vertues and vices, bidden or forbidden, in the se-
 conde table of Goddes commaundementes, wherein are
 contained the dueties one man oweth to an other: But al-
 so did plainly declare them selues to meane, that the au-
 thoritie of Princes ought to stretch it selfe to the mainte-
 nance, praise, and furtherance of the vertues of the first
 Table, and the suppression of the contrary, wherein onely
 consisteth the true Religion, and spirituall seruice, that
 is due from man to God. S. Paule in his epistle to Ti-
 mothe, teacheth the Ephesians, that Kinges and rulers
 are constituted of God, for these two purposes: that their
 people may liue a peaceable life, thorough their govern-
 ment and ministry, both in godlines, which is (as S. Au-
 gustine interpreteth it) the true and chiefe or propper wor-
 ship of God: and also in honestie or seemelines: in whiche
 two wordes (godlines, and honestie) he contained what
 so euer is commaunded either in the firste or seconde Ta-
 ble. S. Augustine also sheweth this to be his minde,
 when describing the true vertues, which shall cause prin-
 ces to be blessed, nowe in Hope, and afterwarde in dede,
 addeth this as one especiall condicion, required by reason
 of their chardge and callinge. *If that, (saith he) they make*
theyr power whiche they haue a seruant vnto Goddes Maiestie, to en-
large moste wide his worship, seruice, or Religion. To this
 purpose also serue all those testimonies, which I haue cited
 before out of S. Augustine against the Donatistes: who
 in his booke, De. ii. abusio num gradibus, teacheth that
 a Prince or ruler must labour to be had in awe of his sub-
 iectes, for his severitie against the transgressours of Gods
 Lawe. Not meaninge onely the transgressours of the
 seconde

1. Tim. 2.

Lib. 14. De
Trin. ca. 7.Lib. 5. De
Ciuit. Dei,
cap. 24.

Grad. 6.

Rom. 13.

Lib. 2. ca. 83

Lib. 2. cont.
2. Epist.
Caud. ca. 11.Lib. 2. cont.
2. Epist.
Caud. ca. 11.

seconde table in Temporal matters: But also against the offendours of the first table, in Spirituall or Ecclesiasticall causes or matters. Whiche his meaning he declareth playnely in an other place, where he toucheth the saying of S. Paule. *The Prince beareth not the sword in vaine, to proue therewith against Petilian the Donatiste, that the power or authoritie of Princes, whiche the Apostle speaketh of in that sentence, is giuen vnto them to make sharp Lawes, to further true Religion, and to suppress Heresies, and Schismes: and therfore in the same place, he calleth the catholique Church, that hath such Princes to gouerne to this effecte: A Church made strong, whole, or fastened together with catholique Princes: meanyng that the church is weake, rent, and parted in sonder, where catholique Gouernours are not, to mainteine the vnitie thereof in Church matters, by their authoritie and power.*

Gaudentius the Donatist, founde him selfe agreed, that Emperours should entremede, and vse their power in matters of Religion: affirmyng, that this was to reuereyne men of that freedom that God had set men in. That this was a great injury to God: if he (meaning his Religion) should be defended by men. And that this was nothing els, but to esteeme God to be one, that is not able to reuenge the injuries doon against him selfe. S. Augustine doth answer, and refute his objections, with the authoritie of S. Pauls sayng to the Romaynes: Let euery soule be subiect to the higher powers &c. For he is Goddes mynister, to take vengeance on him that dooth euill: interpreting the mynde of the Apostle to bee, that the authoritie and power of Princes, hath to deale in Ecclesiasticall causes, so well as in Temporal. And therfore sayth to Gaudentius and to you all. Blotte out these saynges (of S. Paule. 13. Rom.) if you can, or if you cannot, then set naught by them as ye doo. Rereyne

a most

a most wicked meaning of all these sayings (of the Apostle) least you loose your freedom in iudgement: or elles truly for that as men, yee are ashamed so to doo before men, crie out if you dare: Let murderers be punished, let adulterers be punished, let all other faultes, be they neuer so heynous or full of mischief be punished (by the Magistrate) wee will that onely wicked faultes against Religion be exempt from punishment by the Lawes of Kinges or rulers. &c. Herken to the Apostle, and thou shalt haue a great aduantage, that the kingely power cannot hurt thee, doo well, and so shalt thou haue prayse of the same power. &c. That thinge charge thou, is not onely not good, but it is a great euill, to witte, to cast in sundrie the vniety and peace of Christe, to rebelle against the promises of the Gospell, and to beare the Christian. armes or badges, as in a ciuill warre against the true and highe Kinge of the Christians.

Chrysostome sheweth this reason, why S. Paule doth attribute this title of a minister worthely vnto the Kinges, or ciuill Magistrates: because that thorough frayinge of the wicked men, and commendinge the good, he preparerth the mindes of many to be made more appliable to the doctrine of the woorde.

Eusebius alluding to the sentence of S. Paule, where he calleth the ciuill Magistrate, Goddes minister, and vnderstanding that Ministry of the ciuill Magistrate to be about Religion, & Ecclesiasticall causes, so well as Temporal, doth call Constantine the Emperour: The great light, and moste shrill preacher, or setter forth of true godlines: The one and onely God (saith he) hath appointed Constantine to be his minister, and the teacher of godlines to all countreies. And this same Constantine, like a faithfull and good minister, did thoroughly set forth this: and he did confesse himselfe manifestly to be the seruant and minister of the high Kinge. He preached with his imperiall decrees or proclamations his God, euen to the boundes of the whole worlde. Wea Constantine himselfe affirmeth, as Eusebius reporteth: That by his ministerie he did put away and overthrowe al the euilles

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that

Lib. 1. de
vit. Const.

Lib. 2. De
vit. Const.

that pressed the worlde, meaninge all superstition, Idolatry, & false Religion: In so muche (saith this godly Emperour) that there withal I haue called againe mankind, taught by my mynistry, to the Religion of the most holy Lawe (meaninge the worde of God) and also caused, that the most blessed Faith shoulde encrease and growe vnder a better gouernour (meaninge than had bene before) for (saith he) I woulde not be vnthankfull to neglect namely the best mynistry, whiche is the thanks I owe (vnto God) of duty.

This most Christian Emperour did rightly consider, as he had bene truely taught of the moste Christian Bishoppes of that time, that as the Princes haue in charge the mynistry and gouernment in all manner causes either Temporal or Spirituall: Euen so, the chiefe of the best parte of their Service or Mynistry to consist in the well ordering of Church matters, and their diligent rule and care therein, to be the most thankful, acceptable, and duefull Service that they can doe or owe vnto God. For this cause also Nicephorus in his Preface before his Ecclesiasticall history, doth compare Emanuel Palologus the Emperour, to Constantine, for that he did so neerely imitate his duefulness in rulinge, procuringe, and reforminge Religion to the purenesse thereof: Whiche amongst all vertues, belonginge to an Emperour, is most seemely for the imperiall dignitie, and dothe expresse it moste truely, as Nicephorus saith: who maketh protestacion that he saith nothinge in the commendacion of this Emperour, for fauour or to flatter, but as it was true in deede in him. And so reherseth his noble vertues exercised in discharge of his imperiall dutie towards God in Church matters, sayinge to the Emperour, who hath glorified God more, and shewed more seruente zeale towards him in piue Religion, without feyninge, than thou hast doone? who hath with suche fer-

uent zeale sought after the most sincere faithe muche endaungered, or clenſed againe the holy Table? VVhen thou ſawest our true Religion broughte into perill with newe deuises, broughte in by counterfeit and naughty doctrines, thou diddest defende it most painefully and wisely. Thou diddest shewe thy selfe, to be the mighty supreme, and very holy anchor and staie in so horrible waueringe and error, in diuine matters, beginninge to fainte, and to perishe as it were with shipwracke. Thou arte the guide of the profession of our Faith. Thou hast restored the Catholique and vniuersall Church, beinge troubled with newe matters or opinions, to the olde state. Thou hast banished from the Church all vnlawfull and impure doctrine. Thou hast clenſed againe with the woordes of truth, the Temple from choppers and chaungers of the diuine doctrine, and from hereticall deprauers thereof. Thou hast bene sette on fier with a Godly zeale for the diuine Table. Thou hast established the doctrine; thou hast made Constitutions for the same. Thou hast entrenched the true Religion with myghtie defenses. That whiche was pulled downe, thou hast made vp againe, and hast made the same whole and sounde againe, with a conuenient knittinge togeather of all the partes and members, (to be thorte, thou haste saithe Nicephorus to the Emperour) established true Religion and godlines with spirituall treasures, namely the doctrine and rules of the auncient Fathers. These, and suche like Christian Emperours, are not thus muche commended of the Ecclesiasticall wyters, for their notable doinges in the maintenaunce and furtheraunce of Religion, as for doinges not necessarily appertayninge to their office or callinge. But for that they were examplers, spectacles, and glasses for others wherein to beholde what they are bounde vnto by the woorde of God, and what their subiectes may looke for at their handes, as matter of charge and duetie both to God and his people. Whiche S. Paule doth plainly expresse, where he

The princes
supremacie
in repay-
ringe Reli-
gion de-
cayed.

1. Tim. 2.

exhorteth the Christians, to make earnest and continual prayer for kynges, and all that are in authoritie, to this ende and purpose, that by their rule, mynistrie, and seruice, not onely peace and tranquillitie, but also godlines and Religion, should be furthered and continued amongst men: attributing the furtherance and continuance of Religion, and godlynes, to the Magistrates, as an especial fruite and effect of their dutie and seruice to God and his people. Chrysostome expounding this place of the Apostle, both interprete his meaning to be understood, not onely of the outward peace & tranquillitie furthered, maintained, & defended, by the Magistrates, but chiefly of the inward peace of the mynde and conscience, whiche can not be attayned without pure Religion, as contrariwysely, godlynes can not be had without peace and tranquillite of mynde and conscience. This would be noted with good aduise, that S. Paule him selfe sheweth playnely prosperitie, amongst Gods people, and true Religion, to be the benefites and fruites in generall, that by Goddes ordinance springeth from the rule and gouernement of kynges and Magistrates, vnto the weale of the people. The whiche two, although dyuers in them selues, yet are so combined and knyt together, & as it were incorporated in this one office of the Magistrate, that the noursyng of the one, is the feeding of y other, the decay of the one, destroyeth or (at the least) deadly weakeneth them both. So that one can not be in perfect & good estate, without the other. The whiche knot and fastening together of Religion, & prosperitie in common weales, the moste Christian and godly Emperours Theodosius and Valentinianus, dyd wysely see, as appeareth in this, that they wrote vnto Cyril, sayng: The suertie of our common weale, dependeth vpon Golden Religion, and there is great kinred and societie betwix these

Cyrl. Epi.
17. to. 4.

& Weyne.

theyne; for they claime together, and the one groweth with the increase of the other, in suche sorte, that true Religion holpen with the indenuour of Iustice, and the common weale holpen of them bothe, flourisheth; seeing therefore, that we are constituted of God to be the kinges, and are the knitting together or ioynture of godlines and prosperitie in the subiectes, we kepe the societie of these theyne, neuer to be sondred; and so farre forth as by our foresight, we procure peace vnto our subiectes, we minister vnto the augmenting of the common weale: but as we might say, being seruantes to our subiectes in all thinges, that they may (true godly, and be of a Religious conuersation as it becometh godly ones, we garnish the common weale with honour, hauing care, as it is conuenient for them bothe (for it can not be, that diligently providing for the one, we should not care, in like sorte also for the other.) But we trauaile earnestly in this thing aboue the rest, that the Ecclesiastical state may remaine sure, bothe in suche sorte, as is seemely for Goddes honour, and fit for our tymes, that it may continue in tranquillitie by common consent without variace, that it may be quiete through agreement in Ecclesiastical matters, that the godly Religion may be preserued vnreprovable, and that the life of suche as are chosen into the Clergie, and the great priesthood may be cleere from al fault.

Hitherto I haue proued playnely by the holy Scriptures, and by some suche Doctours, as from age to age, haue wptnesst, the order of Ecclesiasticall government in the Church of Christe: yea by the confession, testimony, and example of some of the moste godly Emperours them selues, that suche lyke government in Church causes, as the Queenes maiestie taketh vpon her, both of dutie belonge vnto the cyuill Magistrates and Rulers, and therfore they may, yea, they oughte to claime and take vpon them the same. Nowe remaineth that I proue this same by the continuall practise of the lyke government in some one parte of Christendome, and by the generall counsailes, wherein (as ye affirme) the right

order of Ecclesiasticall gouernemet in Chyist his Church,
hath been moſte faithfull declared and ſhewed from
tyme to tyme.

The gouernemet that the Queenes maiestie taketh
moſte iuſtly vpon her in Ecclesiasticall cauſes, is the guy-
dyng, caring, prouidyng, orderyng, dyrectyng, and ay-
dyng, the Ecclesiasticall ſtate within her dominions, to
the furtheraunce, mayntenaunce, and ſettyng ſooth of
the true Religion, vnitie, & quietnes of Chyiſtes Church,
ouerſeyng, viſiting, reſourmyng, reſtrayning, amen-
dinge, and correctyng, all maner perſones, with al man-
ner errours, ſuperſtitious, Heresies, Schiſmes, abu-
ſes, offences, contemptes, and enozmities, in or about
Chyiſtes Religion whatſoever. This ſame authoritie,
rule, and gouernemet, was practiſed in the catholique
Church, by the moſt Chyiſtian kynges and Emperours,
approued, confirmed, & commended by the beſt counſailles,
both generall and nationall.

Constantinus (of whose carefull gouernemet in
Church cauſes, I haue ſpoken ſomewhat beſore) took
vpon him, and did exerciſe the ſupreme rule and gouer-
nement in reſpreſſing all maner Idolatry and falſe Reli-
gion, in reſorming and promoting the true Religion, and
in reſtreining & correcting al maner Errours, Schiſmes,
Heresies, and other enozmities, in or about Religion, and
was moued hereunto of dutie, euen by Gods worde, as he
him ſelfe repoſteth in a vehement prayer, that he maketh
vnto God, ſaying: *I haue taken vpon mee, and haue broughte to
paſſe healthfull thinges, (meanynge reſormation of Religion.)*
Being perſuaded (therunto) by thy worde. And publiſhing to
all Churches, after the counsell at Nice, what was there
doone: He profeſſeth that in his iudgement, the chiefeſt
ende and purpoſe of his Imperiſall gouernemet, ought to be
to be

Puſeb. li. 2.
De vi. Coſt.

to be the preservation of true Religion, and godly quietnes in all Churches. I have iudged, (saith this godly Emperour,) this ought before all other thinges to be the ende or purpose, (whereunto I should addresse my power and authoritie in gouernement) that the vnitie of faith, pure loue, and agreemēt of Religion towards the almighty God, myght be kepte, and mainteined amongst all Congregations of the catholique Church.

Euseb. li. 3.
De vi. Cōst.

He did not only abolishe al superstitions and false Religions, whiche had been amongst the gentiles, but also he repressed by his authoritie, Lawes, & Decrees, all such Heresies as sprong vp amongst the Christians, sharply reproofing and correcting, the authours or mainteinours of hereticall doctrines, as the Prouatians, Valentinians, Paulianes, and Cataphrygiā, as Eusebius saith of him.

Euseb. li. 3.
De vi. Cōst.

And Theodozetus dooth recite a part of an Epistle, that Constantine wrote vnto the Piconedians, wherein the Emperour hath this sayng. If we haue chaste Bys hops, of right opiniō, of curteous behauiour, we reioyce. But if any be enflamed rashly and vnadvisedly, to continue the memory and commendation of those pestilent Heresies, his foolhardy presumption I hal forthwith be corrected, and kept vnder by my correctiō, which am gods minister. Cōstantinus also, gaue Iniuctions to the chiefe mynisters of the churches, that they should make speciall supplication to God for him. He enioyned all his subiectes, that they should keepe holy certaine daies dedicated to Christ and the Saturday. He gaue a Lawe vnto the Rulers of the nations, that they should celebrate the sonday in like sort after the appointment of the Emperour. And so the daies dedicated to the memory of martyrs and other festiual times, &c. And al suche thinges (sayth Eusebius) were done according to the ordinance of the Emperour.

Lib. i. ca. 19

He commaunded Eusebius the bishop, to draw certein Instructions & lessons, as it wer Homelies, forth of the holy scriptures, & they might be red in y churches. Which was done incōtinēt, according to Theperours comaūdemēt.

Lib. 4. De
vit. Const.

When

Socrat. lib.
1. cap. 7.

Sozom. lib.
1. cap. 16.

Euseb. li. 3.
de vit. Cōst.

When the Emperour herde of the great schisme mooued betwixt Arius and Alexander the Bishop of Alexandria, wherwith the Church was piteously tormented, and as it were rente in sondre, he toke vpon him, as one that had the care and authoritie ouer all, to sende Hosius a great learned and godly Bishop of Spaine to take order, and to appease the contention, writinge to Alexander and to Arius, a graue & also a sharpe letter, charging Alexander with vanitie, Arius with want of circumspection, shewing them both, that it was vnto themely for the one to moue suche a question, and for the other to answer thereon, & vndiscreetly done of them both. And therfore commaundeth them to cease of from suche contentious disputations, to agree betwixt them selues, & to lay aside from thenceforth such vaine and trifeling questions. He pacified also the schisme at Antioche begonne about the choosinge of their Bishop, to whome for that purpose he sente honorable Embassadors with his letters to a great number of Bishoppes that than were at Antioche about that business, and to the people, exhortinge them to quietnes, and teachinge them (saith Eusebius) to studie after godlines in a decent manner: declaringe vnto the Bishoppes, as one that had authoritie ouer the, even in suche matters, what thinges apperteined and were seemely for them to do in suche cases, and noteth vnto them a direction, which they should followe. And after he had (saith Eusebius) geuen suche thinges in comaundement vnto the Bishoppes or chiefe mynisters of the churches, he exhorted them that they would doo all thinges to the prayse and furtheraunce of Goddes Woorde.

This supreme authoritie of the Emperour in Church causes, is moste liuely expressed by S. Augustine & Eusebius, where they make mencion of the horrible schisme, stirred by the Donatistes, against Cecilianus Bishop of Carthage:

Carthage: whose election and ordering to be Bishoppe of Carthage, Donatus and others of his companions misteeked, and therefore made a Schisme in that Church. The question in controuersie was, whether Cecilianus being ordered Bishop, hauinge the imposition of handes by Felix, were Lawfully consecrated and ordred or not. This controuersie made a lamentable trouble amongst the Churches in Aphysike. At the length, the Donatistes accused Cecilian vnto the Emperour: desired the Emperour to appointe some Delegates to iudge of this controuersie. And soz that all the Churches in Aphysique were banded, either to the one party, or the other, and soz that Fraunce was free from this contention, they require iudges to be appointed by his authoritie from amongst the Frenche Bishoppes. The Emperour muche grieved, & the Church was thus torne in sundre with this schisme, doth appoint Melciades Bishop of Rome, and Marcus to be his delegates & commissaries in this controuersie, with certaine other Bishoppes of Fraunce, Melciades colleagues or fellowe Bishoppes, whom the Emperour had commaunded to be there with them soz that purpose. These commissioners with certaine other Bishoppes accordinge to the Emperours commaundement met at Rome, and after due examinacion had, doo condemne the Donatistes, and pronounce Cecilianus cause to be good. From this sentence of the Bishop of Rome, and other Bishoppes his colleagues being the Emperours delegates, the Donatistes appeale vnto the Emperour, not onely accusinge Cecilianus, but also Melciades the Bishop of Rome, and the other Commissaries. Wherefore the Emperour causeth a Synode to be had at Arclatum, committinge the cause to the Bishop thereof, and other Bishoppes assembled there by his commaundement, to be herde and discussed. Whereunto he calleth *Crestus* the

F

Bishop

Aug. Epist.

50.

Euseb. lib.

10. cap. 5.

August. E-

pist. 48.

Euf. lib. 10.
cap. 5.

August. E-
pist. 166.

August. E-
pist. 162.
Epist. 166.

Socr. lib. 1.
cap. 34.

Theod. lib.
1. cap. 28.

August.
Epist.

Bishoppe of Syracuse a Citie in Sicily by his letters. Wherein he declareth in plaine termes, that it belongeth to his imperiall cure, to see these controuersies in Church causes to be determined and ended. Donatus & his companions, beinge condemned also by these Bishoppes, in the Synode at Arclatum, and Cecilianus cleared, doe againe appeale vnto the Emperour from their sentence, beseeching him to take the hearinge & discussinge of the controuersie. Who called both the parties together befoze him selfe at Millayne, and after he had herde the whole matter, & what was to be saide on both sides, he gaue finall sentence with Cecilianus, condemning the Donatistes. Who after all these thinges thus done, as S. Augustine saith, made a very sharpe Lawe against the Donatistes, the whiche also his Sonnes after him commaunded to be obserued. Athanasius also that moste godly Bishop, beinge ouer muche wronged in the Councell at Tyze, did rise and appeale from the iudgement of that Synode vnto Constantine the Emperour, declaringe vnto him his griefes, beseeching him to take the hearinge of the matter befoze him selfe: whiche the Emperour assented vnto, writinge vnto the Synode assembled at Tyze, commaunding them without delai to come vnto his Courte, and there to declare before me (saith this moste Christian Emperour) whom yee shall not denie to be Goddes sacred minister, howe sincerely and rightly yee haue iudged in your synode. When this Synode was assembled at Tyze, the Catholique Bishoppes of Egypt wrote vnto the honorable Flavius Dionysius, to whom the Emperour had made his Lieutenant, to see al things well ordered in that Councell, and did desire him that he would reserve the examination and iudgement to the Emperour him selfe: yea they did aduise him that he do not medle with their matter, but reserve the iudgement ther- of

of to the Emperour, who they knew well, would iudge rightly accordinge to the right order of the Church. *Athanas. A-pol. 2.*

There were no Church matters, or Ecclesiasticall causes, wherein the continuall practise of the Church of Christe, in this Emperours time, yea and many hundred yeres after, did not attribute the supreme rule, order, and authoritie vnto Emperours and Kinges, vpon whome all Church matters did depende, as witnesseth Socrates, who sheweth this reason of that he doth throughout his Ecclesiasticall History mention so much the

*In Proxim.
lib. 5.*

Emperours. Because that of the Emperours (saith he) after they beganne to be Christians, the Church matters doo depende, yea the greatest Councelles haue beene, and are called together, accordinge to their appointment. Eusebius commendeth the great bountifolnes of Constantine towardes al estates, Bar, (saith he) this Emperour had a singuler care ouer Goddes Church, for as one appointed of God to be a common or vniuersall Byshop, he called Synodes or conuocations of Goddes mynisters together into one place, that thereby he might appease the contentious straiinges that were amonge them in sundry places. He disdayned nor to be present with them in their Synodes, and to sit in the midst of them, as it had beene a meener personage, commendinge and approvinge those that bent themselves of good meaninge to godly vnitie, and shewed himselfe to mistike on the other side, and to set naught by such as were of contrary disposition. *Lib. 1. De vit. Const.*

The Ecclesiasticall histories make mention of many Synodes or councelles, called or assembled at the appointment and order of this Emperour. But the most famous and notable, was the Nicene countell: about the whiche, consider and marke, what was the occasion, by whose authoritie it was summoned and called together, and what was the doynges of the Emperour from the beginninge vnto the dissolucion thereof: and yee shall see plainly as

in a Glasse, that by the order and practise of the Catho-
 lique Church, notified in the order of this general Coun-
 cell, the supreme government in Ecclesiasticall causes, is
 in the Emperour and ciuill Magistrates, & your opinion
 condemned by the vniforme agreement of. 318. of the most
 Catholique Bishoppes in the worlde, commendinge, and
 allowynge for moste godly, what so ever the Emperour
 did in, or about this counsell. The occasion of this famous
 and moste godly counsell, was the great dissention kind-
 led, partly about a necessary Article of our beliese, partly
 about a ceremony of the Church. Arius incensed with
 ambitious enuie, againste Alexander his Bishop at Alex-
 andria, who disputed in one of his lessons or treatises,
 more subtilly of the diuinitie than aduisedly, as the Em-
 perour layeth to his chardge, quarelled Sophistically
 against him, and mainteined an horrible Heresie. Be-
 sides this, the Churches were also deuided amongst
 them selues, aboute the order or ceremony of keepinge
 the Easter date. The Emperour sente Hosius with his
 letters, as I saide before, into the East parties to ap-
 pease the furious dissention about bothe these matters,
 and to reconcile the parties dissentynge. But when
 this duetifull seruice of the Emperour, tooke not that
 effect whiche he wished and hoped for, then as Sozo-
 menus writeth, he summoned a counsell to be holden
 at Nice in Bythinia, and wrote to all the chiefe Oppo-
 sers of the Churches euery where, commaunding them
 that they shoulde not fayle to bee there at the day ap-
 poynted. The selfe same also dothe Theodozetus af-
 firme, bothe touchynge the occasion, and also the sum-
 mons made by the Emperour. Eusebius also writtinge
 the life of Constantine, sheweth with what carefulnes,
 the godly Emperour endeoured to quenche these fiers.

And

And when the Emperour (saith Eusebius) sawe that he
 preuailed nothing by sending of Hosius with his letters,
considering this matter with him selfe, saide, that this warre against
the obscure enemy troubling the Church, must be vanquished by an
other (meaning hym selfe.) Therefore, as the capitaines of Goddes
 armie, to wardes his voyage, he gathered together a synode oecumenical,
 and he called the Bishoppes together by his honorable letters, and that
 they should hasten themselves from euery place. These thinges,
 touching the occasion and calling of this generall coun-
 saile by the Emperour, are affirmed to be true also, by *St.*
cephorus the Ecclesiasticall histozian. Yea, the whole
 counsayll in their letters, to the Churches in Aegypt, and
 the East partes, doo testifie the same Synode, to be called
 by the Emperour, sayng: The great and holy synode, was ga-
 thered together at Nice, by the grace of God, and the moste religious
 Emperour Constantine. &c. The Bishoppes (as I said befoze)
 when they thought them selues, or their Churche injured
 by others, were wont to appeale and file vnto the Empe-
 rour, as the supreme gouernour in al matters, and causes
 Temporall, or Spirituall, the whiche appeareth moste
 playne, to be the practise of the Church, by these Bishops
 called vnto the *Princene* counsaill. For when they came to
Nice, supposing them selues to haue nowe good oportu-
 nitie, beyng nigh vnto the Emperour, to reuenge their
 priuate quarrelles, and to haue redresse at the Emperours
 handes, of suche injuries as they thought them selues to
 susteyne at others bishops handes, eche of them gaue vn-
 to the Emperour, a Libell of accusatiōs, signifying what
 wronges he had susteyned of his felowe Bishoppes, and
 prayed ayde and redresse by his iudgement. The Empe-
 rour forseyng that these priuate quarrellings, if they were
 not by some policy, and wyse deuise sequestred, and layde
 aside, would muche hynder the common cause, tooke deli-
 beration,

Lib. 3. De
vit. Const.

Lib. 3. ca. 14

Theod. li. ii.
cap. 9.

Sozom. li. i.
cap. 17.

beration, appointing a day, against the which they shold be in a readines, and commaunded them to pzeare and bzng vnto him all their libelles and quarelling accusations, one against an other: (Marke by the wale, the craft and pzeactise of Sathan, to stay and overthzow good purposes, that euen the godly fathers and Bishoppes, wanted not their great infirmities, pzefering their owne pzeate trifles, befoze the weighty causes of Gods Church. And the wisdoome, zeale, and humblenes, of this moste chzistia Emperour, who so litle esteemed his owne honour, and authozitie, that he wold rather seeme to be inferiour, oz for the time no moze than equall with his subiectes, to the ende, he might by his humbling of him selfe, aduance and exalt Gods glozy, to the edifyng and quietnes of his Church.) The day came (whiche was the day befoze the first Session shold be in the counsell, as Socrates saith) the Bishoppes did not sleape their owne matters, but had their billes in a readines, and deliuered them vnto the Emperour. This vigilant nourisefather vnto Gods Church, had cared and deuised so diligently for the common cause, as the Bishoppes had doon for their pzeate quarells: and therefore, when he had receiued their libelles, very politiquely, saith: (because he woulde irritate none of them for that tyme,) That the date of generall iudgement shoulde be a fitte time for these accusations, and Chryste the Iudge, then woulde iudge all men: As for me, it is not leasfull to take vpon me the iudgement of suche Priestes, accused, and accusing one an other. Whercunto, neuertheles, he added this pzinyppe, to pynche them withall. For of all other thinges (saith he) this is least seemely, that Bishoppes shoulde shewe themselves suche, as ought to be iudged of others. And so caused the libelles to be cast into the fire, giuing them an earnest exhortation to peace and quietnes. The next day after, they

Sozom. li. i.
cap. 17.

Theod. li. i.
cap. 7.

after, they assembled at the Emperours palayce, he commaunded them to go into the counsell house, to consult of the matter, (the counsell house was within the Emperours palayce, trimly furnished with seates, aptly ordred for suche purpose, as it were in rowes.) They entered in, and wayted without any doinges, till the comming of the Emperour, whose seate was of gold, placed at the first beginning of the rowes: who being entred and placed in his seate, maketh an oration vnto them, declaring the contentions sprung vp amongst them selues, to be the occasion wherfore he called them together: *and the ende is, (saith he) that this disease might be healed through my ministry.* After this he maketh an earnest exhortation, mouing them to quietnes, forgiving one an other, for Christ commaundeth (saith he) that who will receiue pardon at his hande, shall also forgive his brethren. After this moste graue exhortation to vnitie, and conoord, in truthe, he giueth them leave to consult of the matters in hande, prescribeth vnto them a rule, whereby they muste measure, trie, and discasse these, and all other suche disputations, and controuersies, in matters of Religion, to witte, Sanctissimi spiritus doctrinam præscriptam, The doctrine of the moste holy spirit before written. For (saith he) the bookes of the Euangelistes, and of the Apostles, and also the prophecies of the olde Prophetes, do euidently teache vs of Goddes meaning. Vwherefore laiyng a syde al discord of enemie, let vs take the explications of our questions, out of the sayings of the holy Ghost. When the parties ward warme in the disputations, and the contention, somewhat sharp, then the Emperour, as a wyse moderatour, and Ruler, would discourage none, but myldely cautioned such as he sawe over hasty, with wilde wordes cooling their heate: and commended such as reasoned deeply with grauntie.

Euseb. li. 3.
De vi. Cōst.

Socr. lib. 7.
cap. 8.

Theod. li. 1.
cap. 7.

my lde

When

Euseb. li. 3.
De vi. Cost.

Il. d. 2. 1.
100. 1. 1. 1.

Socr. lib. 1.
cap. 8.

Soc. li. 1. c. 9

Theod. li. 1.
cap. 13.

Sozom. li. 1.
cap. 25.

When they had agreed of the chiefe pointes, wherefoze they were assembled, the Emperour him self calleth forth Acesius, a Byshop at Constantinople, of the Pionatians Religion, and examineth him openly, touchyng these articles, wherunto the whole counsaile had agreed and subscribed. He wryteth his lettres to the Church at Alexandria, where the controuersy, touchyng the diuinitie of Christ began, declaring, that he him selfe together with the Byshops in the counsaile, had taken vpon him the searchinge forth of the truthe, and therefore assurcth them, that all thinges were diligently examined, to auoyde all ambiguitie and doubtfulnes: wherefoze, he exhorteth and willet them al, that no man, make any doubt or delates, but y cherefully they retourne againe into the mosse true waye. He writeth an other to al Byshops, & people wher so ever, wherein he commaundeth, that no wryting of Arius, or monument containing Arius doctrine, be kept openly or secretly, but be burnt, vnder payn of death. After that all the matters were concluded, and signed with their handes subscription, the Emperour dissolneth the counsaile, and licenseth every one of them to retourne home to his own Byshop: like, with this exhortation, that they continue in vnitie of sayth: that they preserve peace and conkozde amongst them selues: that from thence forth, they abyde no more in contentions: and last of al, after he had made a long ozation vnto them, touchyng these matters, he commaundeth them, that they make prayer continually for hym, his children, and the whole Emppie.

Arius counterfeiting a false, and feyned confession of beliefe, like an hypocrite, pretending to the Emperour, that it was agreable vnto the faith of the Nicen counsaile, humbly beseching the Emperour, That he would vnitie and re-

and restore him to the mother Church, and therefore hauinge
 friendes in the Emperours Courte (as suche shall neuer
 want sauours about the best Princes) was brought into
 his presence, whom the Emperour him selfe examined di-
 ligently, and perceyving no disagreement, (as he thought)
 from the agreement made in Nicene counsell, absolved &
 restored him againe: whereunto Athanasius, who knew
 Arius throughe, would not agree, and being accused ther-
 fore vnto the Emperour, was charged by lettres from
 hym, that he should receiue Arius, with these threat-
 es, that if he would not, he would depose him from his By-
 shoppe, and commit him to an other place. The Arians
 heaped by many and horrible accusations, and slanders
 vpon Athanasius, whereupon the Emperour dooth som-
 mon a counsaill at Tyre, and sendeth commaundement by
 his letters to Athanasius, that without al excuse, he should
 appeare there, for other wyse, he should be brought whe-
 ther he would or no. He writteth to the counsell his letters,
 wherein he declareth the causes why he called that coun-
 cell. He shewed what he would haue, and they ought to
 doo, and prescribeth vnto them the fourme and rule, wher-
 by they shall iudge and determine in that Synode. Atha-
 nasius appeared, appealed, fled to the Emperour, and de-
 clared the iniuries offered against him in that counsell.
 The Emperour tooke vpon him the hearing of the cause,
 sent his letters to the whole Synode, commaunding them
 without all excuse or delay, to appeare before hym in his
 palayce, and there to shewe howe by right and sincerely
 they had iudged in their Synode, as I haue shewed be-
 fore. Wherein obserue diligently, that the Emperour tar-
 keth vpon him, and no fault found therewith, to examine
 and iudge, of the doinges of the whole counsell. Thus
 farre of Constantine and his doynges, in the execution of
 his

Theod. li. i.
cap. 14.

Socr. lib. i.
cap. 28.

Theod. li. i.
cap. 27.

Soc. lib. i.
cap. 34.

his ministerie, and especially in performing that part, whiche he calleth the best part, that is his gouernement, and rule, in Ecclesiasticall matters, wherin it is manifest, that by the practise of the catholique Church for his time, approued & commended by al the catholique priests and Bishoppes, in the Pisen counsaile, the supreme gouernement, authoritie, and rule, in all maner causes, both Ecclesiasticall, and Tempozall, were claimed and exercised by the Emperour, as to whom of right, suche like power and authoritie, belonged and appertained.

Lib. 3. ca. 17

Constantines sonnes, claymed and tooke vpon them, the same authoritie, that their father had doon befoze the: and as Zozomen reporteth of them, did not only vpholde & mainteine, the ordinances made by their father Constantine, in Church matters, but did also make newe of their owne as occasiō serued, & the necessitie of y^e time required.

Theod. li. 2
cap. 1.

Constantinus, after the death of his father, restored Athanasius, (whom his father had deposed) to his Bishoprike againe, w^{ri}ting honourable and louing letters to the church of Alexandria, for his restitution.

Sabell.
Platin.

Constantius deposed Liberius, the Bishop of Rome, for that he would not consent to the condemnation of Athanasius, in whose place Felix was chosen, whome also the Emperour deposed for the like cause, & restored againe Liberius vnto his Bishoprike, who beinge moued with the Emperours kindnes (as some w^{ri}te) or rather overcome with ambition, became an Arian. This Emperour deposed diuerse Bishops, appointing others in their places. He called a Synode at Millayn, as Socrates witnesseth,

Socr. lib. 2.
cap. 36. 37.

saing: The Emperour commaunded by his edict, that there should be a synode holden at Millayn. There came to this counsaile aboue 300. Bishoppes, out of the West countreis. After this he mynded to cal a general councel of al the East & West Bishops

Bishops to one place, whiche coulde not conveniently be brought to passe, by reason of the great distaunce of the places, & therefore he commaunded the councill to be kept in two places, at *Ariminum* in Italy, & at *Nicomedia* in Bythina.

Valentinianus the Emperour, after the death of *Auxentius*, an Arian byshop of *Millayn*, calleth a Synode of bishops at *Millayn*, to consult about the ordering of a new bishop. He prescribeth vnto them in a graue oration, in what manner a man qualified ought to be, who shuld take vpo him the office of a bishop. They passe to the electio, the people were diuided, til at the last they al crye with one consent, to haue *Ambrose*, whom although he did refuse, the Emperour commaunded to be baptized, & to be consecrate by shop. He called an other Synode in *Illinica*, to appease the dissention in *Asia* & *Phrygia*, about certain necessary articles of the christian faith; and did not onely confirme the true faith by his royal assent, but made also many godly and sharpe Lawes, as well for the maintenance of the truthe in doctrine, as also touching many other causes, or matters Ecclesiastical. *Theodosius*, was nothing inferior to *Constantine* the great, neither in zeale, care, or furtherace, of Christes Religion. He bent his whole power, and authority, to the vtter ouerthrowe of superstition, & false Religion, somewhat crept in againe, in the times of *Julianus* & *Valens*, the wicked Emperours. And for the sure continuance of Religion resourmed, he made many godly Lawes, he defended the godly bishop of Antioche *Flavianus*, against the bishop of Rome, and other byshoppes of the Weste, who did falsely accuse him of many crimes: and at the lengthe, by his carefull endeuour in Church matters, and his Supreme authority therein, this moste faythfull Emperour, sayeth *Theodoretus*, sette peace and quietnes amongst the Bishoppes, and in the Churches.

Theod. li. 4
cap. 5. 6. 7.

Princes by
Synodes do
ordeine and
condemne
Bishops.

Theod. li. 5
cap. 20.

Li. 5. c. 23. 24

He called a conuocation of the Bishops, to the ende that by common consent, all should agree in unity of doctrine confessed by the Nicene council, to reconcile the Macedonians vnto the catholique Church, and to electe and order a Bishop in the see of Constantinople, whiche was then vacant. When the twoo fyrste pointes coulde not be brought to passe, as the Emperour wished, they went in hande with the thirde, to consult amongst them selues touching a fitt Bishop for Constantinople. The Emperour, to whose iudgement many of the Synode consented, thought Gregory of Nazianzene, moste fit to be Bishop: but he did vtterly refuse that charge. Than the Emperour commaundeth them, to make diligent inquisition for some goodly man, that myght be appointed to that towne. But when the Bishoppes could not agree, vpon any one, the Emperour commaundeth them to bringe to him the names of all suche, as every one of them thought moste apt to be Bishop, wyrtten in a paper together. He reserued to him selfe (saith Zozomenus) to choose whome he lyked best. When he had redde ouer once or twyse, the sedule of names, whiche was brought vnto hym, after good deliberation had with him selfe, he chose Nectarius, although as yet he was not chrystened: & the Bishops maruailling at his iudgement in y^e choise, could not remoue him. And so was Nectarius baptized, & made bishop of Constantinople: who proued so goodly a bishop, that al mē deemed this election to be made by The Emperour, not wout some miraculous inspiratiō of y^e holy ghost. This emperour persecuting, y^e the church had ben long time molested, & drawe into partes by the Arianisme, & like to be more greuously tozned in sonder to the heresy of Macedonius, a B. of Constantinople, & knowing y^e his supreme gouernemēt, & empire, was geuen him of God, to mainteine the cōmon peace of the

Sozom. li. 7
cap. 6. 7. 8.

the Church, & confirmation of the true faith, summoneth a Synode at Constantinople, in the thirde yeere of his reigne (whiche is the seconde great and generall counsell of the former notable and famous oecumenicall councilles) and when all the Bishoppes whome he had cited, were assembled, he cometh into the counsell house amongst them, he made vnto them a graue exhortation, to consulte diligently, like graue Fathers of the matters propounded vnto them. The Macedonians departe out of the Citie, the Catholique Fathers agree, conclude a trueth, & sende the canons of their conclusion to the Emperour to be confirmed, writinge vnto him in these wordes: *The holy counsaile of Bishops assembled at Constantinople to Theodosius Emperour, the most reuerent obseruer of godlines, Religion, and loue towards God: Vvee geue God thanks, who hath appointed your Emperiall government for the common tranquillitie of his Churches, and to establishe the sounde faith. Sithe the time of our assembly at Constantinople by your godly commaundement, wee haue renewed concorde amongst our selues, and haue prescribed certaine Canons or rules, whiche wee haue annexed vnto this our writinge: wee beseeche therefore your clemency to commaunde the Decree of the Counsaile to be stablished by the letters of your holines, and that yee will confirme it, and as you haue honoured the Church by the letters where with you called vs together: even so, that you will strengthen also the small conclusion of the Decrees with your owne sentence and seale.*

After this he calleth an other Councell of Bishoppes to Constantinople of what Religion so euer, thinkinge that if they might assemble together in his presence, and before him conferre touching the matters of Religion, wherein they disagreed, that thei might be reconciled, and brought to vnitie of Faith. He consulteth with Necharius, and sitteth downe in the counsell house amongst them al, and examineth those that were in Heresie, in such sort,

Socr. lib. 5.
cap. 10.

that the Heretiques were not onely astonied at his questions, but also beganne to fall out amongst them selues, some likinge, some mislikinge the Emperours purpose. This done, he commaundeth eche sect, to declare their faith in writinge, and to bringe it vnto him: he appointeth to them a day, whereat they came as the Emperour commaunded, and deliuered vnto him the fourmes of their faith in writinge: when the Emperour had the sedules in his handes, he maketh an earnest praier vnto God, for the assistance of his holy spirite, & he may discerne the trueth, & iudge rightly. And after he had redde them all, he condemneth the Heresses of the Arians & Eunomians, rentinge their sedules in sundre, & alloweth onely, and confirmeth the faith of the Homousians, and so the Heretiques departed ashamed, and dashed out of countenance.

Theodosius left his two sonnes Emperours, of the which I will say but litle: yet wherein it may moste manifestly appeare, that the supzeme gouernment in causes Ecclesiasticall belonged to the Emperours.

Archadius the Emperour, when *Nectarius* the Bishop of Constantinople was dead, and so the see vacant, was certified thereof: he causeth *Iohn Chrysostome* to be called from Antioche: he commaundeth the other Bishoppes collected into a Synode, & they admonishe *Chrysostome* of Goddes graces, and what belongeth to suche a charge, and that they chose and order him to be the Bishop of Constantinople. In whiche dooinge, (saith *Theodozetus*) the Emperour declared what carefull endeuour, he had about the holy Church matters. But this supzeme authoritie, to care, appoint, and procure worthy and good Pastours or Bishoppes, when the sees were vacant, appeareth moze plainly in *Honorius* the Emperour, brother to *Archadius*, to whom the Bishop of Rome him selfe in his decrees, and his Glosars on the same,

same, confesse and acknowledge to haue the ouersight, rule and gouernment in the elections & ordering of Bishops, yea, ouer the Bishoppe of Rome him selfe.

After the death of Pope Sozimus, were two Popes chosen at ones in a great Schisme, the one Bonifacius primus, the other Eulalius, whereof when the Emperour Honorius had notice beinge at Millayne, he caused them bothe to be banished Rome: But after seuen monethes, Bonifacius was by the Emperours commaundement, called againe and confirmed by his authoritie in the Apostolicall sea. This Bonifacius beinge nowe settled in the Papacy, by humble suite to the Emperour, prouideth a remedie against suche mischiefes in time to come. The case was this, saith the Glosator, Boniface the firste, did beseeche Honorius the Emperour to make a Lawe, whereby it might appeare, what were to be done, when two Popes were chosen at ones by the vndiscreetnes of the Electours, contendinge amongst them selues. Honorius did than constitute that neither of those twaine should be Pope, but that in a newe Election a thirde should be chosen by common consente. If two (saith the Emperour in his Lawe made at the humble sute of Bonifacius) by chaunce againste righte be chosen, thorough the vndiscreete contention of the Electours: wee permitte neither of them to be Prieste or Pope: but wee iudge him to remaine in the Apostolique sea, whome the diuine iudgement, and the common consente dothe appointe from amongst the Clergy in a newe Election. Upon this woorde, where the Emperour saith (wee permitte) the Glosar saith, and so the Emperour dothe not onely abrogate the clayme of bothe those that be chosen in the contention, but dothe make them bothe for that time vnable, and dothe decree an other to be taken out of the Clergy for that time. Againe the Glosar interpretinge this, (the diuine iudgement) saith: this is the meaninge that the Emperours will and election muste stande, the Clergy and the whole

Luthprandz

Dist. 79. Si
duo.

Gratian.
dist. 63.

Socr. lib. 7.
cap. 29.

Liberat.
cap. 4.

whole people acceptinge with thankesfull minde whome the Emperour doth choose. For the Emperours were called in those daies holy, and their rescriptes and indgements Diutne. Here you see by the Popes decrees and Glosars, that the Emperour had the supreme rule and gouernement in Church causes, and this was the continuall practise of the Church for the most parte, yea, even the Bishoppes of Rome before they were ordered and consecrated, had their election ratified and confirmed by the Emperours, their Lieutenaunt, or other Princes. *Sabellicus* speakinge of the contentious entrance of *Damasus* the first into the Papacy, whiche was not without great bloudshed, as *Volateranus* saith, dothe note the ambition of the Prelates, to be the cause of suche contention about their attaininge of such rommes. For now (saith he) the ambitious desire of honour, had by litle and litle, begon to entre into the mindes of the Bishoppes. The whiche was proued ouer true, not onely in the elections of the Bishoppes of old Rome, but also in many Bishoppes of other Cities, especially of newe Rome. These diseases in the Church mynisters, and the disorders thereout springing: the Emperours from time to time studied to cure and resourme: wherefore *Theodosius* and *Valentinianus* when they sawe, the great hewing and shewing at Constantinople, about the election of a Bishop after the death of *sismius*: some speakinge to pferre *Philippus*, other some *Proclus*, both beinge mynisters of that Church, did prouide a remedy for this mischiese, to witte, they them selues made a decree, that none of that Church shoulde be Bishop there, but some straunger from an other Church, and so the Emperours sent to Antioche for *Nestorius*, who as yet was thought both for his doctrine and life, to be a fitte pastor for the flocke, and made him Bishop of Constantinople.

As *Constantinus* and *Theodosius* the elder, even so *Theodosius* the

the seconde a very godly Emperour, hauing & practisinge the supreme gouernment in Ecclesiasticall causes, seeinge the horrible Heresies spronge vp, & deuindinge the Church, but specially by *Nestorius*, did by his authozitie call the thirde generall councill at *Ephesus*, named the firste *Ephesine* councill, geuinge streight commaundement to all Bishops wheresoener, that they shoulde not faile to appeare at the time appointed, and further vsed the same power and authozitie, in the orderinge and gouerninge thereof by his Lieutenaunt *Ioannes Comes Sacrensis*, that other Godly Emperours had bene accustomed to vse before him, accordinge to the continuall practise of the Church, as it is plainely set forth in the booke of generall Councilles.

Nicep. li. 14
cap. 34. 35.

In this councill there happened so græuous contention betwixt *Cyrellus* Bishop of *Alexandria*, and *Iohn* Bishop of *Antioche*, bothe beyng otherwile godly and learned men, that the councill was deuided thereby into two partes: the occasion of this Schisme was partely, that *Cyrellus* and certaine other with him had proceeded to the condemnation of *Nestorius*, before that *Ioannes* with his company coulde come, and partely for that *Ioannes* of *Antioche* suspected *Cyrellus* of certaine Heresies, misdeeminge that *Cyrell* had made the more haste to confirme them before his comminge. He therefore with his associates complaineth, and laieth to *Cyrell*es charge, that he did not tarie accordinge to the commaundement of the Emperour for the comminge of the Bishoppes of other Prouinces, whiche were called thither from all partes, by the commaundement of the Emperour: That whan the noble *Orle Candidianus* commaunded him by writinge, and without writinge, that he shoulde presume no suche matter, but that he and those that were with him, shoulde abide

Liberat.
cap. 6.

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the comminge of the other Bishoppes, neuerthelesse he proceeded: that he and his companie were the authours of dissention and discorde in the Church: and that they had geuen the occasion, that the rules of the Fathers, and the decrees of the Emperours were broken, and troden vnder foot: wherefore they iudge Cyrill of Alerandria, with Memnon Bishop of Ephesus, to be deposed fro their Bishopricks, and Ecclesiasticall mynistry: & the other their associates to be excommunicate. The whiche their daynges they signifie to the Emperour Theodosius by their Synodical letters, to vnderstande his pleasure, in allowing or disallowing of their Synodical actes. After this came the Bishoppe of Romes legates, before whome in the councell Cyrillus and Memnon offered by their libelles, deposinge a contestation againste John and his partie to haue them cited, and render the cause of their deposition. The Bishoppe of Romes legates, with the consent of the councel, on that parte, sendeth for Ioannes and his parties, who returneth this answere: Neither sende you to vs, nor wee to you, because wee looke for an answere from the Prince touchinge you. Wherefore saith Liberatus: Cyrill and Memnon seekinge to reuenge them selues, did condemne Iohn and all those that stode with him, who suffered many displeasures at Ephesus thorough the pride of these twaine. The Emperour sendeth to the whole Councell his answere in wrytinge, on this sorte: Wee allowe the condemnation of Nestorius, Cyrillus, and Memnon: the other actes and condemnations, whiche you haue made, wee disallowe, obseruinge the Christian Faith, and vprightnes whiche wee haue receiued of our Fathers and progenitours. &c. Certaine of the Bishoppes did satisfie the Emperour, whome he commaunded to enter into the Church, and to ordeine an other Bishop for Constantinople in the place of Nestorius. These thinges thus doone, the Emperour dissolved the Councell, and commaunded the Bishoppes to departe euery

man to his owne countrey. Within a while after the Emperour perceiuinge the dissention berwixte Cyrill and Iohn to continue, Liberat. cap. 8. whiche he thought was not to be suffered: called Maximianus, and many other Bishoppes that were then at Constantinople, with whome he consulted, howe this schisme of the Churches, might be taken away. Whose aduise had, the Emperour sente a noble man, named Aristolaus with his letters to Cyrill and Iohn, commaundinge them to come to an agreement and vnitie betwixte them selues; otherwise he would depose and banishe them bothe. Whereuppon followed a reconciliation betwene the two Bishops, and muche quietnes to the Churches.

Eutyches stirred by muche trouble in these daies: wherefore he was cited to appeare before Flavianus Bishop of Constantinople, and other Bishoppes assembled in a Synode, to answer vnto his heresies: who would not appeare but fledde vnto the Emperour Theodosius, and declareth vnto him his grieve. The Emperour sendeth vnto the Synode with Eutyches, one of his chiefe officers Florentius, with this mandate: Liberat. cap. 11. Bicause wee studie carefully for the peace of Goddes Church, and for the Catholique Faithe, and will by Goddes grace haue the righte Faithe kepte, whiche was sette forth by the Nicene Councell, and confirmed by the Fathers at Ephesus, when Nestorius was condemned: wee will therefore there bee no offence committed aboute the aforementioned Catholique Faithe, and bicause wee knowe the honourable Florentius, to be a faithfull and an approoued man in the righte faithe, wee will that he shalbe present in your synode, bicause the conference is of the Faithe. He was there assistant vnto the Fathers and examined Eutyches openly in the Synode, diuerse times of his faithe; and finally saide vnto him: He that (saith Florentius) doth not confesse in Christe two natures, doth not beleene aright: and so was Eutyches excommunicate, deposed, and condemned.

Niceph. li.
14. cap. 47.

ned. *Eutyches* rested not here, but obtained that the Emperour did commaunde a newe Synode to be had at Constantinople, wherein to examine the actes of the former, whether that all thinges touching the proceeding against *Eutyches*, were done orderly and rightly or no. He appointeth besides *Florentius*, diuerse other of his nobles to be in this counsell, to see the doinges thereof. But when *Eutyches* coulde not winne his purpose in neither of these Synodes, he procureth by friendship of the Emperesse *Eudoxia* and others, that the Emperour shoulde call a Synode againe at *Ephesus*: to the whiche Synode the Emperour prescribeth a fourme of proceedinge. This Synode was a wicked conuenticle, wherein the trueth was defaced and Heresie approued, the Emperour beinge seduced by *Chrysaphius*, one of the priuite chamber, and in moste fauour with him.

Liberat.
cap. 12.

Leo the first, Bishop of Rome a learned and a godly Bishop, although not without all faultes, maketh humble supplication vnto *Theodosius* the Emperour, and vnto *Pulcheria*: that there might be a generall counsell called in Italy, to abolishe the wicked error in Faith, confirmed by the violence of *Dioscorus*, The selfe same Bishoppe of Rome with many Bishoppes kneelinge on their knees, did moste humbly beseeche in like sorte *Valentinianus* the Emperour, that he would vouchesaufse to entreate and exhorde *Theodosius* the Emperour to call an other Synode, to reuoke those euill actes and iudgements, whiche *Dioscorus* had caused to be done in the condemnation of *Flavianus* Bishop of Constantinople and others. In whiche examples it is manifest, that the Bishops of Rome did acknowledge the supreme gouernment, direction and authoritie in callinge of councelles, whiche is one of the greatest amongst the Ecclesiasticall causes or matters, to be in the Emperours, and Princes and not in them selues.

Marcianus

Marcianus, a godly Emperour, and very studious about the Christian Religion, succeeded *Theodosius*, who besides that of him selfe, he was muche carefull to suppress al heresies, and to resourme the Churches, restoring Religion to puritie without error, was also hastened hereunto by the earnest sute of **Leo** Byshop of Rome: who in diuerse and sondrie epistles, declaring vnto him in moste humble wise, the miserable state of the Church, dooth beseeche him, that he would vouchsaule to call a general counsell. Many other Byshops make the same sute vnto the Emperour, and to the same ende: complaining vnto him, of the miserable destruction, and horrible disorders, in church causes. An example and paterne of their supplications, wherby may appeare, that they acknowledged the Emperour to be their Supreme gouernour, also in Ecclesiastical causes, or matters, is sette forth in the Chalcedon counsell, in the supplication of *Eusebius*, the Bishop of *Darelaum*, vnto the Emperour: who maketh humble supplication as he saith, for him selfe, and for the true or right faith. Vve flie vnto your godlines (saith this Bishop vnto the Emperour) because both we and the Christian faith, haue suffered muche wronge against all reason: humbly crauing iustice, and for that *Dioscorus* hath doon many, and that no small offences, both against the faith of Christe and vs: prostrate, we beseeche your clemency, that you will commaunde him to answer to the matters, we shall obiecte against him: wherein we will proue him to be out of the catholique faith, defending heresies replete with impietie. VVherefore we beseeche you to directe youre holy and honourable commaundement, to the holy and vniuersall counsell of the moste religious Bishoppes, to examen the cause betwixt vs, and *Dioscorus*, and to make relation of all thinges, that are doon, to be iudged as shall seeme good to your clemency. The Emperour protesting that they oughte to preserve the furtheraunce of the right saythe and Christian Religion, before all

Nicep. li. iij.
cap. i. 2.

Leo. ep. 44.

Act. 3.

In Epist.
preamb.

other affaires of the common wealth: sendeth their letters of summons to all Bishoppes, commaunding them to repaire to Nice, a citie in Bithynia, there to consulte and conclude, an vnitie and concozde in Religion, & matters pertaininge thereunto, that hereafter all altercation & doubtfulnesse be taken cleane away, & an holesome trueth in Religion established, addinge threates, & punishment to them that would refuse to come at the time appointed. When the assembly was made at Nice of all the Bishops, and that the Emperours could not come thither, to be present in the Synode personally, whiche they had promised and did much coueiste, they wrote vnto the whole Synode, willing them to remoue from Nice vnto Chalcedon without delay: where they assembled at the Emperours commaundement, to the number of. 630. Bishoppes. The Emperour assigneth Judges and rulers in the Synode about. 24. of the chiefeſt of his Nobles and Senatours. After all the Bishoppes and the Judges were assembled in the counsell house, which was in S. Euphemies church: the Emperour *Martianus*, with *Pulcheria*, entreth in amongst them, & maketh an Oration vnto the whole Councell, to this effecte. First he declareth, what zeale & care he hath for the maintenance and furtherance of true Religion: Then he sheweth, that partely the vanitie, partely the auarice of the teachers, had caused the discozde and errour in Religion: He addeth the cause wherefoze he charged them with this trauaile: And last of al he prescribeth a fourme, after which they must determine the matters in controuersie. This done, the Judges sat downe in their places, & the Bishoppes arose, some on the right hande, & others on the left hande. And when that *Dioscorus* was accused, & the Judges willed him to vse his lawful defence, there began to be amongst the Bishops whote scholes, wantinge

wanting some modestie, wherfore the Judges at the first staied them with milde wordes. VVilling them to auoide confusion: but being earnest, they ouershot the modestie of so graue men: wherfore the honourable Judges and Senate of the Laitie, appointed by the Emperour, did reprove the, sayng: These popular acclamations, neither becommeth Bishoppes, neither yet helpe the parties: be ye quiet therfore, and suffer al things to be rehearsed and heard, in order with quietnes. VVhen the Iudges and senate, had duely examined the causes, they gaue sentence to depose Dioscorus and others: so that this their iudgement seemed good to the Emperour, to whome they referred the whole matter.

In the next action, the Judges and Senate after rehearsal made, what was done befoze, do propounde vnto the Synode, what matters were nowe to be consulted of, and willet them to make a pure exposition of the faith, & that without any sinister affectiō, declaring that the Emperour and they, did firmly kepe and beleue, according to the faith receyued in the Nicen councill: whereunto the Bishoppes also accorde, and saiet, that no man maketh, or may attempt to make any other exposition. Certaine of the Synode desired to heare the symbol of the Nicen councill recited; whiche the Senate and Iudges graunted vnto them.

After that it was agreed vpon, by the whole Synode, that Dioscorus should be deposed, the Synode wryteth vnto the Emperours Valentinianus, and Marrianus, saynge in this fourme: Greuous diseases neaderh both a stronge medicine, and also a wise Physition: For this cause therefore, the Lorde oueral, hath appointed your goodlines as the best and chiefe Physicion ouer the diseases of the whole worlde, that you shoulde heale them with fitte medicines. And you moste Christian Emperours, receiuinge commaundement from God aboue other men, haue geuen competent diligence for the Churches, framing a medicine of concorde vnto the Bishoppes. This, thus in waie of Preface saide, they declare what they

Act. 2.

Act. 3.

630. bishops
confesse the
Princes su-
premacie in
Ecclesiasti-
call causes.

they haue done touchinge *Dioscorus*, they shewe the cause and reasons, that moued them therunto: both that the Emperour shoulde consider his wickednes, and also the sinceritie of their sentence.

Act. 4.

In the fourth Action, when the rehearsal of all things passed befoze was done, the Judges and Senate asketh if all the Bishoppes agree: whereunto they answered, yea, yea. The Synode had requested the Judges and the Senate, to make suite to The Emperour for five bishops, which otherwise must be deposed, as was *Dioscorus*, whiche they did, and made this relation vnto the Synode: *That the Emperour, perceiuinge the humble suite of the Synode, dooth licence them to determine touchinge the five, what they thought good: admonishinge them not withstandinge, to geue good heede what they did: for that they must make an accompte to god of their dooinges.*

Act. 5.

In the fifth Action, the Judges willed the Synode, to reade those things, whiche were agreed vpon touchinge the Faith: whereabout began a great contention, one parte of them allowinge, an other sorte disallowing that was redde amongst them. The Judges seeinge the exclamations and confusion, that was amongst them, appointeth a Committie, choosinge forth of sundry partes a certaine number to goe aside with the Judges, to make a resolution. When they preuailed nothinge, they threated the whole Synode, that they would signifie these disordered clamours vnto the Emperour, whiche they did. The Emperour immediatly of his Supreme authoritie, appointed the order of Committies, whiche the Judges had deuised befoze: geuing them in commandement, that goinge aside by them selues, they should consult and conclude a truethe in Faith, with suche plainnesse, that there might no moze doubtles arise thereof, whereunto al shoulde agree. The Synode obeyed, and folowed the Emperours

Emperours directiō, & the Committies with the Judges, goeth aside into a secrete place, maketh conference, concludeth, and commeth againe into the Synode, & reciteth their determination, whereunto the whole Synode gave their consent, and so the Judges commaundeth, that this their definition should be shewed vnto The Emperour.

The Emperour commeth into the Synode place, in his owne person, with Pulcheria, his nobles, and Senators, and maketh vnto the Synode an Oracion, of this effect. He careth for nothing so muche, as to haue all men rightly perswaded in the true Christian faith: He declareth the occasions, why he summoned the Synode: He commaundeth that no man be so hardy, hereafter to hold opinion, or dispute, of the Christian faith, otherwys than was decreed in the first Nicen councell, he chargeth them therefore, that all partaking, contention, and couctousnes laide apart, the onely truthe may appeare to al men. He declareth his coming into the Synode, to be for none other cause, then to confirme the fayth, and to remoue from the people in tyme to come, all dissention in Religion. And last of all, he protesteth this to be his whole care, and study, that all people may be brought into a vnitie, and vniourne agreement in pure Religion, by true and holy doctrine. The chiefe Notarie, humbly asketh of the Emperour, if it will please him to heare their definition redde: The Emperour willet that it should be recited openly, he enquireth of them all, if euery man consented thereunto: they answered, that it is agreed vpon by all their consentes. Whereunto they adde many acclamations, commending the worthines of his Emperiall gouernement, concluding: *By thee O woorthy Emperour, the right faith is confirmed, heresies banished, peace restored, and the Church reformed.* After these acclamations, the Emperour
doth

doth openly declare vnto the Synode a statute, whiche he maketh to cut of and put away from thencefoorth, al manner occasion of contention about the true faith, and holy Religion. The whole Synode desireth the Emperour, to dissolue the councill, and to giue them leaue to departe: whereunto the Emperour woulde not consent, but commaundeth that none of them depart.

Act. ii.

Basianus, of late the Bishop at *Ephesus*, complaineth vnto the Emperour, to directe his letters to the Synode, to haue his cause hearde. The Emperour commaundeth the Synode to heare the matter. The Judges commaundeth *Stephanus* Bishop of *Ephesus*, to make aunswere vnto *Basianus* his complaint. After due examination had by the Judges, openly in the Synode in this controuersie, the Judges asked of the Synode, what they iudged to be doone. The Bishops adiudged *Basianus* to be restored. But the Judges appointed by the Emperour, woulde not alowe that sentence, but decmed neither of them bothe worthy to occupy that Bishoprike, and that there should be a thirde chosen, and admitted to that see, to the whiche iudgement, the whole Synode did accorde. After the ende of this councill, the Emperour doth confirme the determination thereof by his publique Decree.

Cap. 14.

This Synode being finished, the Emperour banished *Dioscorus* into the Cytie of *Cangren*. Whiche thyng doon: The Nobles of the Cytie (sayth *Liberatus*) assembled together to chose one, bothe for life and learning, worthy of the Bishoprike: for this was commaunded by the Emperours Decrees. At the length *Proterius* was made Bishop: against whom the sedicious people raysed one *Timotheus Hellurus*, or *Elurus*, who in conclusion, murthered *Proterius*. The catholique Bishoppes, whiche maintained the *Chalcedon* councill, made humble supplication vnto *Leo* the Emperour, both to reuenge the death

death of *Proterius*, and also to depose *Timotheus Hellurus*, as Libe. ca. 15.
 one not Lawfully instituted in the Bishopricke: on the contrary parte, other Bishoppes make supplication vnto him, in the defence of *Timotheus*, and against the Chalcedon councill. When Leo the Emperour had considered the matter of both their supplications, for good & godly considerations, he wrote his letters to the Bishops of euery city, declaring both these causes, & willing them to sende him their aduise, what was best to be doon: from whome he receiued answer, that the Chalcedon councill is to bee mainteined euen vnto death: whereupon the Emperour writeth to *Stila* his Lieutenant of *Alexandria*, that he should mainteine the Chalcedon councill. *Stila* did as the Emperour commaunded: he expelled *Timotheus Hellurus*, and placed an other in his rounge, named *Timotheus salefacialis*, or *Albus*, who liued quietly all the reigne of *Leo*, and *Zeno*, the Emperours, till *Basilicus* gat the Empire, who restozed *Timotheus* the Heretique: But when *Zeno* recouered the Empire, this *Timotheus* poysoned him selfe, in whose place the Heretiques chose one *Peter Mogge*. After that *Zeno* the Emperour knew of the crafty dealing of y^e heretiques, he wrote to his Lieutenaunt *Anthemius*, that he should depriue *Peter Mogge*, and restoze *Timotheus* to the Bishopricke, and further, that he should punish those, that were the authozs to enstall *Peter Mogge*. *Anthemius* receyuinge the Emperours mandate, did depose *Peter Mogge*, as one that was but a counterfayte made Bishop, contrary to the Lawes of the catholique Church, and restozed *Timotheus salefacialis*, who beinge restozed, sent certayne of his Clergie to the Emperour to render him thanks.

After this *Timotheus*, *Ioannes de Talaida* was chosen, wherof when *Acatius* Bishop of Constantinople hearde, he being

Lib. ca. 18.

The princes
supremacie
in al causes

offended with John, for that he had not sent vnto him synodical letters, to signifie of his electiō, as y^e maner was,) he toynd him selfe with the fauours of Peter Mogge, & accused John vnto the Emperour, as one not sounde in Religion, nor fit for the Byshoprike. Peter Mogge espying this oportunitie, dissembleth an vnitie and reconciliatiō, and by his friendes, wynneth Acatius, who breaketh the matter to the Emperour, and perswadeth him to depose Ioannes de Talaida, and to restore Peter Mogge: so that the same Peter would first receiue and p^{ro}fesse the Henoticon, that is the confession of the vnitie in faith, whiche the Prince had set forth, wherof this is the effect. Zeno the Emperour, to al Bishops and people, throughout Alexandry, and Egypt, Libya, and Pentapolis: For so much as we knowe, that the right and true faith alone, is the beginning, cōtinuance, strength, and inuincible shylde of oure Empyre: Vve labour night and day in praier, study, and with Lawes to encrease, the Catholique, and Apostolique Church by that faith. All people next after God, shall bowe downe their neckes vnder our power. Seing therfore, that the pure faith, doth on this wise preserue vs, and the Romain cōmon wealth, many godly fathers haue humbly beseeched vs, to cause an vnitie to be had in the holy Church, that the members displaced and seperated through the malice of the enemy, may be coupled and knit together. And after this, declaringe his faith, to agree with the Nicen councel, and those that condemned Nestorius, and Eutyches, (he saith.) Vve curse those that thinke the contrary. After whiche curse, declaring al the articles of his faith, he concludeth with an earnest exhortatiō vnto the vnitie of faith. The Emperour, saith Liberatus, supposing that Ioannes de Talaida, had not ment rightly of y^e Chalcedon cōcil, but had doon al things fainedly, wrote his letters by the perswasion of Acatius, to Pergamius, & Apollonius his Lieutenantes, to depose John, and enstall Peter Mogge. John being thus thrust out, repaired to the B. of Antioche,

Antioche, with whose letters of comendacion, he went to *simplicius* Bishop of Rome, and desired him to write in his behalfe vnto *Acatius* Bishoppe of Constantinople, who did so, and with in a while after, died.

This Pope *simplicius* consideringe the great contentions that were accustomedly about the election of Popes, did prouide by decree, that no Pope shoulde hereafter be chosen without the authoritie of the Prince, which decree, although it be not extant, yet it is manifest inough, by the Epistle of kinge *Odoacer* put into the Actes of the thirde Synode, that *simmachus* the Pope did keepe at Rome, wher, in the Kinge doth not onely auouch, the decree of *simplicius*, but also addeth: Wee maruaile that without vs any thinge was attempted, seynge that whiles our Priest (meaninge the Bishop of Rome *simplicius*) was on line: nothinge ought to haue beene taken in hande without vs

Nexte after *simplicius* was *Felix*. 3. chosen, who after his confirmacion sent many letters, aswell to the Emperour as to *Acatius* Bishop of Constantinople, aboute the matter betwixt *Iohn* and *Peter*, but when he coulde not prouaile in his suite, he made *Iohn* Bishop of *Nola* in *Campania*. One of the letters that Pope *Felix* wrote vnto *Zenon* the Emperour about this matter. is put into the fifth Synode of Constantinople: wherin the Pope after the salutation, doth most humbly beseeche the Emperour, to take his humble suite in good parte. He sheweth that the holy Church maketh this suite, that he will vouchesaulfe to mainteine the vnitie of the Church, that he will destroy Heresies, that breaketh the bonde of vnitie, that he will expell *Peter* Dogge bothe out of the Citie and also from Church regiment: that he would not suffer *Peter* being deposed, to be admitted to the Comunion of the Church: but that by his honorable letters, he would banishe him out of the boundes

boundes of Antioche. And (saith this Bishoppe of Rome Felix vnto the Emperour) In his place appoint you one, that shall bewise the Priesthood by his woorkes.

Cap. 19.

Platina.

Sabell.

Anastasius the Emperour deposed Macedonius Bishoppe of Constantinople, as one that falsified the Gospels, as Liberatus saith. About the election of Symachus, Platina mentioneth what great diuision and sedition arose, in so much y^e the parties were faine to agree to haue a councill holden for the determination of the matter. And there was a councill appointed at Rauenna (saith Sabellicus) to the ende that the controuersie might be decided accordinge to righte, before the Kinge Theodoriche: before whome the matter was so discussed, that at the last this Pope Symachus was confirmed. Neuerthelesse this fyre was not thus so quite quenched, but that fower yeres after, it blased out soer againe. Vvhereat the Kinge (saith Platina) beinge displeased, sent Peter the Bishop of Aline to Rome, to enioy the sea, and both the other to be deposed. Whereupon an other Synode was called of. 120. Bishoppes, wherein (saith Sabellicus) the Pope him selfe defended his owne cause so stoutely, and cunningly, and confuted, (saith Platina) all the obiections laide against him, that by the verdict of them all, he was acquitted, and all the faulte laide to Laurence and Peter.

But to the intent it may the better appeare what was the Kinges authozitie about these matters, marke the fourth Romaine Synode, holden in the time of this Symachus & about the same matter of his, whiche although it be mangled and confusedly set forth in the Booke of generall Councelles, bicause (as it may seeme) that they woulde not haue the whole trueth of this dissention appeare: yet will it shewe muche, that the Princes had no small entemedlinge, and authozity in Synodes & Church matters. This Synode was summoned to be kepte in Rome

Rome, by the commaundement of the moſte honozable Kinge Theodoriche. He declareth that many and græuous complaintes, were bzought vnto him againſte Symachus Biſhoppe of Rome. Symachus commeth into the Synode to anſweare for him ſelfe, geueth thanks to the Kinge for callinge the Synode, requireth that he may be reſtored to ſuche thinges as he had loſte by the ſuggeſtion of his enemies, and to his former ſtate, and then to come to the cauſe, and to anſweare the accuſers. The moze parte in the Synode, thought this his demaunde reaſonable: Decernere tamen aliquid Synodus ſine regia no- titia non præſumpſit. *Yea the Synode præſumed not to decrees any thinge without the Kinges knowledge.* Perther came it to paſſe as they wiſhed: for the Kinge commaunded Symachus the Biſhoppe of Rome to anſweare his aduerſaries befoze he ſhoulde reſume any thinge. And ſo the kinge committed the whole debatinge and iudginge of the mat- ter to the Synode, whiche concludeth the ſentence with theſe wordes: *Vwherefore accordinge to the Kinges will or commaundement who hath committed this cauſe to vs, wee reſourme or reſtore vnto him (to Symachus) what right ſo euer he ought to haue within the Citie of Rome, or without.*

As it is and ſhalbe moſt manifeſtly proued and teſti- fied by the æcumenicall or general councelles, wherin the order of the eccleſiaſtical gouernment in Chriſts Church, hath bene moſt faithfully declared, and ſhewed from time to time (as you your ſelfe affirme) that ſuche like go- uernement as the Quænes Maieſtie doth claime and take vpon her in Eccleſiaſticall cauſes was practiſed conti- nually by the Emperours: and approued, prayſed and highly commended by thouſandes of the beſte Biſhoppes & moſt godly Fathers that hath bene in Chriſtes Church from time to time: even ſo ſhall I proue by your owne
booke

booke of generall councelles mangled, maymed, and set forth by papishe Donatistes them selues, and other suche like Church writers, that this kinde, and suche like government, as the Quenes Maiestie doth vse in Church causes, was by continuall practise, not in some one onely Church or parte of Christendome (whereof you craue prouise, as though not possible to be shewed) but in the notablest kingdomes of al Christendome, as Fraunce and Spaine, put in vze: whereby your wilfull, and malicious ignorance shalbe made so plaine, that it shalbe palpable to them whose eyes you haue so bled, that they cannot see the tructh.

Clodoueus about this time the firste Christian kinge of Fraunce, baptized by *Remigius*, and taught the Christian faith: percepuinge that thozough the troublesome times of warres, the Church discipline had bene neglected and much corruption crepte in, doth for refozmacion hereof call a nationall councell or Synode at *Aurelia*, and commaundeth the Bishoppes to assemble there together, to consult of suche necessary matters as were fitte, and as he deliuered vnto them to consulte of. The Bishoppes do accordinge as the kinge comaundeth, they assemble, they commend the kinges zeale, and great care for the catholique faith, and Religion, they conclude accordinge to the kinges minde, and doth referre their decrees to the iudgement of the kinge, whome they confesse to haue the superiority, to be approued by his assent. *Clodoueus* also called a Synode named *Concilium Cabilonen*, and commaunded the Bishoppes to consider if any thing were amisse in the discipline of the Church, and to consulte for the refozmacion therof: and this (saith the Bishoppes) he did of zeale to Religion and true faith.

Other fower Synodes were summoned afterwarde

in the same Cittle at sondry times, by the commaundemēt of the king, named Childebert, moued of the loue & care, he had for the holy sayth, and furtheraunce of Chzistian Religion, to the same effect and purpose that the first was sommoned for.

This kyng Childebert, caused a Synode of Bishoppes to assemble at Parys, and commaunded them to take order for the reformation of that Church, and also to declare whom they thought to be a prouident Pastor, to take the care ouer the Lordes flocke, the Bishop saphoracius, beinge deposed for his lust demerites.

Theodobertus king of Fraunce, calleth a Synode at Aruerns in Fraunce, for the restozing and establyshing the Church discipline. *Gautfranus* the king, calleth a Synode, named *Marisconens.* 2. to resourme the Ecclesiasticall discipline, and to confirme certeine orders, and ceremonies, in the Church, whiche he declareth plainly in the Edict, that he setteth forth for that purpose. Wherein he declareth his vigilant and studious carefulnes, to haue his people trained & brought vp, vnder the feare of God, in true Religion, and godly discipline, for otherwise (saith this Chzistian king) I to whom God hath committed this charge, shall not escape his vengeance. He sheweth the Bishops that their office is to teach, comfort, exhort, to reprove, rebuke, and correct, by preaching the worde of God. He commaundeth the elders of the Church, and also others of authority, in the common weale, to iudge and punish, that they assiste the Bishoppes, and sharpely punish by bodely punishment, such as will not amende by the rebuke and correction of the worde, and church discipline. And concludeth, that he hath caused the Decrees in the councell, touching discipline, and certeine ceremonies to be defined, the whiche he doth publishe and confirme, by the autho-

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ritie of this edit.

Platina.

Mar. Pœni.

The Pope is
the Kinges
Ambassa-
dour.

The Popes
humble sute
to the Em-
perour, for
the Arian
heretiques.

After the death of Anastasius the Emperour, Iustinus reigned alone a right catholique Prince, who immediately sent messengers vnto the Bishop of Rome, who should both confirme the authoritie of the see, and also shoulde provide peace for all Churches, so muche as might be. With which doings of the Emperour, Hormisdas the Bishop of Rome, being moued, sent vnto the Emperour, with consent of Theodoriche Legate. Mar. Pœni. Mar. Pœni. Mar. Pœni. The cause of this legacy was, to entreate the Emperour to restore those Bishoppes, which the wicked Anastasius had deposed. This godly Emperour Iustinus (saith Martyn) did make a Lawe, that the Churches of the Heretiques, shuld be consecrated to the catholique Religion, but this Decree was made in John the next Popes daies. The whiche edit when the kyng Theoderiche, being an Arian (saith the same Martyn,) and kinge of Italy, herde, he sent Pope John (saith sabellius) with others in embassage vnto the Emperour, to purchase libertie for the Arians. Iustinus receyued these Embassadours honourably, saith Platina, and the Emperour at the lengthe ouercome with the humble suite of the Pope, whiche was sauced with teares, graunted to him and his associates, that the Arians shoulde bee restored, and suffered to lyue after their orders.

In this history, this is not vnworthy the noting, that the Pope did not onely shewe his obedience and subiectiō to the godly Emperour, but also that the secular Princes, ordeined Lawes Ecclesiastical, with the which the Pope could not dispence. For all this busynesse arose about the decree, whiche the Emperour had made in an Ecclesiastical cause or matter. If the Popes authoritie in these causes, had beene aboue the Emperours, he needed not with suche lowlynes, and so many teares to haue besought the Emperour to haue renoked his decree and edit.

Calixtus

Within a while after this John, was Agapetus Pope, Valateran^o. whom Theodatus the kynge, sent on his Ambassage vnto the Emperour Iustinianus, to make a suite or treaty in his behalfe. When the Emperour had entertained this Ambassadour with much honour, and graunted that he came for, touching Theodatus, he earnestly both with fayre wordes, and soule, assayed this Pope, to byynge him to become an Eutychian: the which when he could not wyne at his hande, beyng delighted with his free speeche and constancie, he so lyked hym, that he forthwith deposed Anthemius Byshoppe of Constantinople, because he was an Eutychian, and placed Menna a Catholique man, in his rowme. Agapetus dyed in this Legacy, in whose rowme was Syluerius made Pope, by the meanes, or rather, as Sabellicus sayth, by the commaundement of the kynge Theodatus, the which vntill this time, was wont to bee doone by the authoritie of the Emperours (sayeth Sabellicus,) for the reuenge whereof, Iustinianus was kindled to make warres against Theodatus. Syluerius was shortly after quarrelled withall by the Emperesse, through the meanes of Vigilius, who sought to bee in his rowme, and was by the Emperours authoritie deposed. The which act, although it were altogether vniust, yet declareth it the authoritie that the Prince had ouer the Pope: who lyke a good Byshoppe, as he would not for any threats, doo contrary to his conscience and office: so lyke an obedient subiect, he acknowledged the Princes authoritie: beyng sent for, came: beinge accused, was ready with humblenes to haue excused and purged hym selfe: and when he coude not be admitted therunto, he suffered hym selfe obediently to be spoyled of the Bishoplike apparayle, to bee displaced out of his office, and to be clothed in a monastickall garment.

Sabellicus

Sabell.

Cap. 20.

Cap. 23.

Ibid.

The same measure that *vigilius* did giue vnto *sylvester*, he him selfe being Pope in his place, receyued shortly after, with an augmentation, for he was in like sorte with, in a while, deposed by the Emperours authoritie, because he would not kepe the promise whiche he had made vnto the Emperesse, and was in moste cruell wise dealt with all: whiche crueltie was the rather shewed to him by the meanes and procurements (as *sabellius* noteth) of *Pelagius*, whom *vigilius* had placed to be his Suffragan in his absence.

About this tyme, *Epiphanius* Bishop of Constantinople, as *Liberatus* saith, died, in whose rowme the Emperesse placed *Anthimus*. About whiche time, was great strife betwene *Gaius* and *Theodosius*, for the Bishoplike of Alexandria, and within two monethes, saith *Liberatus*, the Emperesse *Theodora*, sent *Narses* a noble man, to enstall *Theodosius*, and to banishe *Gaius*: *Theodosius* beinge banished, the sea was vacant: wherunto *Paulus* (who came to Constantinople to pleade his cause befoze the Emperour, against certeine Stubborne monkes) was appointed, and he receiued (saith *Liberatus*) authoritie of the Emperour, to remoue heretiques, and to ordeine in their places men of right faith. This *Paulus* was shortly after accused of murther, whereupon the Emperour sent *Pelagius* the Popes proctor, lying at Constantinople, ioyning vnto him certeine other Bishoppes, with commission, to depose *Paulus* from the Bishoplike office, whiche they did: and they ordered for him *Zoilus*, whome afterwarde the Emperour deposed, and ordered *Apollo*, who is now the Bishop of Alexandria (saith *Liberatus*). Certeine Monkes met with *Pelagius* in his retourne from *Saga* (where *Paulus* was deposed) towarde Constantinople, bzinging certeine articles, gathered out of *Orgenes* woordes, minding to make suite vnto the Emperour, that both *Orgen* and those articles,

cles might be condemned, whome Pelagius for malice he bare to Theodorus Bishop of Caesaria in Cappadocia, an earnest fautor of Origen, did further all that he might. Pelagius there fore doth earnestly entreate the Emperour, that he would commaunde that to be done whiche the Monkes sued for: to witte, that Origen with those articles shoulde be damned. The whiche suite the Emperour graunted, beinge gladd to geue iudgement vppon suche matters, and so by his commaundement, the sentence of the great curse against Origen and those Articles were drawne forth in writing and subscribed with their handes, and so sente to Vigilius the Bishop of Rome, to Zoilus Bishop of Alexandria, Euphemius of Antioche, and Peter Bishop of Hierusalem. These Bishops receiuinge this sentence of the curse, pronounced by the Emperours commaundement, and subscribinge thereunto: Origine was condemned beinge dead; who before longe agoe on liue was condemned.

When Theodorus Bishop of Caesarea in Cappadocia herde of this condemnacion, to be reuenged, he laboured earnestly with the Emperour, to condemne Theodorus Mopsuestenus a famous aduersarie of Origen, the whiche he brought to passe by ouermuche fraude, abusinge the Emperour to the great slander and offence of the Church. Thus in all these Ecclesiasticall causes, it appeareth the Emperour had the chiefe entemedlinge, who although at the laste was beguiled by the false Bishoppes: yet is it worthy the notinge by whome this offence in the church came, which appeareth by that, that followeth: I beleue that this is manifest to all men (saith Liberatus) that this offence entred into the Church, by Pelagius the Deacon, and Theodorus the Bishoppe, the whiche euen Theodorus him selfe, did openly publishe with clamours: cryinge, that he and Pelagius were worthy to be wente quicke, by whome this offence entred into the worlde.

Cap. 24.

This Pelagius as yet was but Suffragan or proctor for

Sabellicus.

the Pope, who afterwarde in the absence of Pope Vigilius his maister crepte into his sea, in the midst of the botes that Totylas kinge of the Gothes made in Italy, when also he came to Rome. In the which history is to be noted the Popes subiection to Totylas, whome humbly on his knees he acknowledged, to be his Lorde appointed, thereto of God, and himselfe as all the rest to be his seruant. Note also howe the kinge sent him Embassadour, what charge, and that by Othe, of his voyage, of his message, and of his returne, the king freightly gaue vnto him: howe humbly in all these thinges he obeyed: How last of all towarde the Emperour (beinge commaunded by him to tell his message) he fell downe to his knees, and with teares both to him and to his nobles, he ceased not to make mosse lamentable, and humble supplication, till without speede, but not without reproche, he had leaue to returne home. But least you should take these thinges, to set forth that Princes had onely their Iurisdiction ouer the Ecclesiasticall persons, and that in matters Tempozall, and not in causes Ecclesiasticall, marke what is writen by the Historians. Plinius amongst the decrees of this Pope Pelagius, telleth, (and the same witnesseth Sabellicus) that Narfes the Emperours other deputie, ioynly with Pelagius did decree, that none by ambition shoulde be admitted to any of the holy orders. Pelagius moreouer writeth vnto Narfes, desiringe him of his ayde againste all the Bishoppes of Liguria, Venetia and Histria, whiche woulde not obey him, puttinge their assistance in the authoritie of the firste Councell of Constantinople. In whiche Epistle amongst other thinges, he writeth on this wise: Your honour muste remember what God wrought by you at that time, when as Totyla the tirant possessinge Histria and Venetia: the French also wasinge all thinges you woulde not nevertheless suffer a Bishopp of Myllaine to be made

made; vntill yee had sente woorde from thence to the moste milde Prince. (meaninge the Emperour) and had receiued answere againe from him by writinge what shoulde be done, and so bothe he that was ordeined Bisshoppe, and he that was to be ordeined, were broughte to Rauenna at the appointement of your highe authoritie. Not longe after, Pelagius . 2. because he was chosen Iniussu Principis, without the Emperours commaundement; and coulde not sende vnto him, by reason the Town was besieged, and the huge risinge of the waters stopped the passage: as soone as he mighte, beyng elected Pope, he sente Gregorie to craue the Emperours pardon, and to obteyne his good will. For in those daies (saith the Platina) the Clergy did nothinge in the Popes election, except the election had bene allowed by the Emperour.

About the time of Pelagius the firste his Papacy, was there a Councell holden at Tournes in Fraunce, by the licence and consente of Arithbertus the Kinge, for the reformation of the Church discipline, wherein appeareth, that the Kinges authoritie was necessarily required, to confirme, and strengthen the discipline. For where they decreed of the maydes or widdowes that shall not be married, without the consent of the parentes, which is an especiall matter Ecclesiasticall, they declare the strength thereof, to depende vpon the commaundement of the Prince. Nor onely (say they) the Kinges, Childebert and Clotharius of honourable memory, kepte and preserved the constitution of the Lawes touching this matter, the whiche nowe the Kinge Charibert their successour hath confirmed, or strengthened by his precept.

The Emperour Iustinianus calleth the Bishoppes of all Churches vnto a generall Councell at Constantino-ple, the whiche is called the fift eecumenicall Synode, to repress the insolence of certayne Heretiques, who taught

Euag. li. 4.
Cap. 38.

Niceph. li.
37. Cap. 27.

taught and maintained Heresies and Schismes, to the great disquieting of the Church against the doctrine established in the foure forenamed generall Councilles. In the time of this councill *Menna*, the Bishop of Constantinople, departed out of this life, in whose roome the Emperour placed *Eutychius*. The Emperour gouerneth and directeth all thinges in this Council, as the Emperours befoze him had done in the other generall Synodes, as appeareth by the writinge, whiche he sente vnto the Bishoppes, wherein he sheweth, that the right beleauinge godly Emperours his auncestours did alwaies labour, to cut of the Heresies spronge vp in their time, by callinge together into synode the most religious Bishoppes, and to preserue the holy Church in peace: and the right faith to be sincerely preached and taught. He alledgeth the examples of *Constantinus Magnus*, *Theodosius the elder*, *Theodosius the yonger*, and *Martianus the Emperours*: who (saith he) called the former generall councilles, were present them selues in their owne persones, did ayde and helpe the true confessours, and tooke great traualle vppon them, that the right faith shoulde preuaile, and be preached. Our forenamed auncestours of godly memory (saith he) did strengthen and cōfirme by their Lawes, those thinges which were decided in euery of those councilles, and did expulse the Heretiques, whiche wente about to gaine saie the determinations of the former forenamed generall councilles, and to vnquiet the Churches. He protesteth, that from his firste entraunce, he made these the beginninges & foundation of his imperiall gouernment, to wit, the vnitie in Faith agreeable to the foure generall councilles, amongst the church ministers, from the east to the west: the restraigninge of schismes and contentions stirred vp, by the faultours of *Eutyches* and *Nestorius*, against the Chalcedon councill: the satisfiynge of many that gaine saide the holy Chalcedon councill, and the expulsion

expulsion of others, that persevered in their errors, out of the holie Churches and Monasteries: To the ende that concord and peace of the holie Churches, and their Pricles, beinge firmly kepte, one and the selfe same faith, whiche the forwre holie Synodes did confesse, might be preached throughout Goddes holie Churches.

He declareth howe he had consulted with them by his letters and messengers aboute these matters, and how they declared their iudgements vnto him by theyr writings: not withstandinge seeinge certaine Heretiques continue in their heresies: Therefore I haue called you (saith he) to the royall Citie (meaninge Constantinople) exhortinge you beyng assembled togeather, to declare once againe your mindes touching these matters. He sheweth that he opened these controuersies to vigilius the Pope, at his beyng with him at Constantinople: And we asked him (saith he) his opinion herein: and he, not once nor twice, but oftentimes in writinge, and without writinge, did curse the three wicked articles. &c. VVe commaunded him also by our The Empe-
Iudges, and by some of you, to come vnto the Synode with you, and to de- rour com-
bate these three articles togeather with you, to the ende that an agree- maundeth
able fourme of the right faith might be set forth: and that we asked the Pope to
both of him and you in writinge touching this matter: that eyther come to the
as wicked articles, they mighte be condemned of all: or elles, if he Synode.
thought them right, he shoulde shewe his minde openly: But he an-
swered vnto vs: that he would doe seuerely by him selfe concerninge
these three pointes, and deliuer it vnto vs. He declareth his owne
iudgement and belife, to be agreeable with the faith set
foorth in the forwre generall Councelles. He prescribeth
vnto them the speciall matters, that they shoulde debate
and decyde in this Synode: whereof the finall ende is,
(saith he) That the trueness in euery thinge maye be confirmed, and
wicked opinions condemned. And at the laste, he concludeth
with an earnest and godly exhortacion, to seeke Goddes
glozy onely, to delare their iudgementes agreeable to the
holpe

holpe gospel, touching the matters he propoundeth, and to doe that with conuenient speede. Dat. 3. Nonas Maias, Constantinopoli. The Title prefixed to the first generall counsell, sommoned by the commandement of Iustinian, telleth in effect generally, both the matter and also who had the chiefe authoritie in the orderinge thereof: for it is intituled: *The diuine ordinaunce and constitution of Iustinian the Emperour against Anihymus, Seuerus, Petrus, and Zoaras.* Menas the vniuersall Archebithop and Patriarche of Constantino-ple, was present in this Counsell, who had adioyned vnto him, placed on his right hande, certaine Bishops, coadiutors, named and appointed by the commaundement of the Emperour, sent out of Italy from the sea of Rome. When they were set thus in counsell, The Emperour sent Theodorus one of the Masters of the Requestes, or his Secretarie, a wise man, vnto the Synode: Bishoppes, Abbottes, & many other of the cleargy, with theyr billes of supplications, whiche they had put vp vnto the Emperour, for redresse of certaine matters Ecclesiasticall. Theodorus maketh relation vnto the Synode hereof, deliuereth the Billes of supplication to be considered on: presenteth the parties to the Synode, and sheweth that this is the Emperours pleasure, that they shoulde dispatche and ende these matters. Paulus the Bishoppe of Apamea, in his bill of supplication, offred to the most godly Emperour in the name of all his, acknowledgeth him to be the highest Potentate in the worlde next vnto God: who hath magnified his Empire, and throwen his aduersaris vnder him: because he mainteineth the onely and pure Faith: offreth vnto god pure Leuen, that is to saie, true doctrine as incense, and burneth the chaffe (meaning false Religion) with vnquencheable fire. And after the Declaration of their Faith, talkinge of the Eutychian or counterfaiite catholique, He desireth the Emperour, to whom God hath reserved the

The prince
the highest
potentate
next to god
in al causes

full

full authoritie to directe, to cut him from the Church, and to expulse him out of his Dominions. In like sorte the Religious men, and the Monasteries of *secunda Syria*, do offer vp a booke of supplication vnto the Emperour, beseeching him, that he wil commaund the Archebischoppe *Mennas*, president of the council, to receiue their booke, & to consider of it according to the Ecclesiastical Canons. The Emperour maketh a lawe and constitution, to ratifie & confirme the iudgement of y^e Synode against *Anthimus*, & other heretiques: wherein also he decreeth touching many other ecclesiastical matters or causes: as, No man to Rebaptize: to prophane the holie Communion: to call Conuenticles: to dispute further in those matters concluded on: to publishe or set forth the Hereticall bookes: to communicate with them. And so knitteth vp all, with this conclusion. Wee haue decreed these thinges for the common peace of the moste holie Churches: these thinges haue we determined by sentence.

God refer-
ueth to the
prince the
fulnes of
direction
in Ecclesi-
astical
causes.

All thinges beinge thus done, by the commaundement of the Emperour, in the first Action, & so forth, in the seconde, thyrde, and fourth, after many acclamations, the Presidente of the Councell *Mennas*, concludeth: saynge to the Synode: That they are not ignorant of the zeale and minde, of the Godly Emperour, towards the right Faith, and that nothinge of those that are moued in the Church, ought to be doone without his will and commaundement.

Nothinge
may be don
in Church
matters,
without
the princes
authorite.

Suche is the authoritie of Princes in matters Ecclesiastical, that the Godly auncient Fathers did not onely confesse, that nothinge moued in Church matters, ought to be done without their authoritie, but also did submitte them selues willingly with humble obedience, to the direction of the Godly Emperours, by their lawes, in all matters or causes Ecclesiastical, whiche they woulde not haue doone, if they hadde thoughte, that Prin-

Cod. lib. 1.
tit. 17.

Nouell.
const. 3.
The Empe-
rours Eccle-
siasticall
lawes.

Const. 5.

ces oughte not to haue governed in Ecclesiastical causes. The same zelous Emperour doth declare, that the authoritie of the Princes lawes doth rightly dispose and keepe in good order, both spirituall and tempozal matters, and doth away all iniquitie: wherefore he did not onely gather togeather as it were into one heape, the lawes that he him selfe had made, and other Emperours befoze him, touchinge ciuill or tempozall matters: but also many of those lawes and constitutions, whiche his auncestours had made in Ecclesiastical causes: Yea, there was nothinge perteininge to the Church gouernemente, whiche he did not prouide for, order, and direct by his lawes and constitutions: wherein maie evidently appeare the authoritie of Princes, not onely ouer the persons, but also in the causes Ecclesiasticall. He made a common and generall lawe to all the Patriarches, touchinge the ordering of Bishoppes, and all other of the clergie, & Church ministers: prescribinge the number of them to be suche, as the reuenues of the Churches may well susteine: affirminge that the care ouer the Churches, and other Religious houses, pertaine to his ouersight: And doth further inhibite, that the ministers doe passe forth of one Church to an other, without the licence of the Emperour or the Bishoppe: the whiche ordinaunce he gaue also to those that were in Monasteries. He geueth authoritie to the Patriarche or Bishoppe, to refuse and reiecte, although greate suite by men of muche authoritie be made. He prescribeth in what sorte, & to what ende the church goodes shoulde be bestowed, and threatneth the appointed paynes to the Bishop and the other ministers, if they transgresse this his constitution.

He prescribeth in what sorte, the Bishop shall dedicate a Monastery: he giueth rules and fourmes of examination

nation, and trial of those that shalbe admitted into a Monastery, before they be professed: in what sort and order they shall live together: He prescribeth an order and rule, wherby to choose and ordeyne the Abbot: He requireth in a Monastical person, *diuinorum eloquiorum eruditionem, & conuersationis integritatem: Learning in Gods woorde, and integritie of life.* And last of all, he chargeth the Archebishops, Bishops, & other Church ministers, with the publishing and obseruing of this his constitution: Vea his Tempozall officers and Judges also, threatening to them both, that if they do not see this his Lawe executed and take the effecte, they shall not escape condigne punishment.

Const. 6.

He protesteth, that Emperours ought not to be careful for nothing so muche, as to haue the mynistry faithfull towards God, and of honest behauiour towards the worlde, whiche he saith, will easely be brought to passe, if the holy rules whiche the Apostles gaue, and the holy fathers kept, and made plaine, be obserued and put in vze. Therefore, saith he, we folowing in al thinges the sacred rules (meaning of the Apostles) doo ordeine and decree. &c. and so maketh a constitution and Law, touching the qualities and condicion, that one to bee chosen and ordered a Bishop, ought to haue, and prescribeth a forme of triall and examination of the party, before he be ordered: adding that if any be ordered a Bishop, not qualified according to this constitution, both he that ordereth, and he that is ordered, shall lose their Bishoprikes. He addeth furthermore, that if he come to his bishoprike by giftes or rewardes, or if he be absent from his Bishoprike aboue a time limited, without the commaundement of the Emperour, that he shall incurr the same penalties. The like orders and rules he prescribeth in the same constitution.

for Deacons, Diaconesses, Subdeacons, and Readers: commanding the Patriarches, Archbishops & Bishops to promulgate this constitution, & to see it observed under a pain.

Const. 57.

He affirmeth that this hath been an auncient Lawe, and doth by his authoritie, renew and confirme the same: that no man haue priuate chappels in their houses, wherein to celebrate the diuine misteries: whereunto he addeth this warning to *Memas* the Archebishop, that if he knewe any suche to be, and doo not forbidde and reforme that abuse, but suffer this constitution of the Emperour to be neglected and broken, he him selfe shall forfait to the Emperour fifty poundes of golde.

Const. 58.

Also that the mynisters keepe continuall residence on their benefices: otherwise the Bishop to place others in their rowmes, and they neuer to be restored.

When this Emperour vnderstode, by the complaints that were brought vnto him against the Clergy, Monkes and certeine Bishoppes, that their liues were not framed accordyng to the holy Canons, and that many of them were so ignoraunt, that they knewe not the prayer of the holy oblation and sacred Baptisme: Perceiuyng further, that the occasion hereof was partely, by reason that the Synodes were not kept accordyng to the order appointed, partly for that the Bishoppes, Priestes, Deacons, and the residue of the Clergie, were ordered, bothe without due examination of the right faith, and also without testimony of honest conuersation: Protesting that as he is mindesfull to see the ciuill Lawes firmly kept, even so he ought (of dutie) to be more carefull about the obseruation of the sacred rules and diuine Lawes, and in no wise to suffer them to be violated and broken. He reneweth the constitutions for the Clergie, touching Church causes, saying: Following therefore those thinges, that are defined in the sacred Canons, we make a

Pragma-

pragmaticall or moſte full and effectuell Lawe, whereby we ordeine that ſo often as it ſhalbe needfull, to make a Biſhop, &c. And ſo goeth forwarde in preſcribing the ſourme of his election, examination, & approbatiō. And ſhutteth by y^e Lawe about the ordering of a Biſhop with this claufe: if any ſhalbe ordered a Biſhop againſt this former appointed order, bothe he that is ordered and he alſo that hath praſumed to order againſt this ſourme, ſhall be depoſed. We decreeth alſo by Prouiſo, what order ſhall be kept, if it chaunce that there be any occaſion or matter layde to the charge of him that is to bee ordered, either Biſhop, Prieſt, Deacon, Clergy man, or els Abbot of any Monastery. But about all thinges ſayeth he, wee enact this to be obſerved, that no man be ordered Biſhop by giſtes or rewardes: for both the geuer, taker, and the broker, if he be a Church man, ſhalbe depriued of his benefice, or clericali dignitie, and if he be a Lay man, that either taketh rewarde, or is a woozker in the matter betwene the parties, we commaunde that he paye double to be geuen to the Church. We geueth licence neuertheles, that where there hath bene ſomethyng geuen, by hym that is ordered Byſhoppe, of cuſtome, or for enſtallation, that they maye take it: ſo that it excede not the ſomme preſcribed by hym in this Lawe. Vvee commaunde therefore that the holy Archebiſhoppes, namely of the elder Rome, of Conſtantinople, Alexandria, Theopolis, and Hieruſalem, if they haue a cuſtome to geue the Biſhoppes and Clerkes, at their orderinge vnder twenty poundes in golde: they geue onely ſo muche as the cuſtome alloweth: But if there were more geuen before this Lawe, wee commaunde that there be no more geuen then twenty poundes. And ſo he ſetteth a rate to al other Eccleſiaſtical perſons in their degrees, & according to y^e habilitie of their Churches, concluding thus: ſurely if any preſume by any meanes to take more than we haue appointed, either in name of

cuſtomes,

customes, or enſtallations, wee commaunde that he reſtore threefold ſo
 muche to his Church, of whom he tooke it. He doth vtterly for-
 bidde Biſhoppes & Monkes, to take vpon them gardian-
 ſhip: neuertheleſſe, he licenceth Prieſtes, Deacons, & Sub-
 deacons, to take the ſame on them in certeine caſes. He com-
 maundeth two Synodes to bee kepte in euery Province
 yerely. He preſcribeth what, and in what order, matters
 ſhalbe examined, and diſcuſſed in them. Beſides theſe, he
 enioyneth, and doth commaunde all Biſhoppes, & Prieſtes,
 to celebꝛate the prayers in the miniſtration of the Lordes
 ſupper, and in baptiſme, not after a whiſpering or whiſt
 maner, but with a cleare voyce, as thereby the myndes
 of the hearers, may be ſturred vp with moze deuotion in
 praying the Lord God. He proueth by the teſtimony of
 S. Paule, that it ought ſo to be. He concludeth, that if the
 Religious Biſhoppes, neglecte any of theſe thinges, they
 ſhall not eſcape puniſhment by his order. And for the bet-
 ter obſeruing of this conſtitution, he commaundeth the ru-
 lers of the provinces vnder him, if they ſee theſe thinges
 neglected, to vſe the Biſhoppes, to call Synodes, and to
 accompliſhe all thinges, whiche he hath commaunded by
 this Lawe to be doon by Synodes. But if the Rulers ſee
 notwithstanding, that the Biſhoppes bee ſlouthfull and
 ſlake to doo theſe thinges, then to ſignifie therof to hym
 ſelfe, that he may correct their negligence: for otherwiſe
 he will extreemely puniſhe the Rulers them ſelues. Be-
 ſides theſe, ſaith this Emperour, we forbidde and enioyne
 the Religious Biſhoppes, Prieſtes, Deacons, Subdea-
 cons, Readers, and euery other Clergie man, of what de-
 gree or order ſo euer he be, that they play not at the table
 playes (as cardes, dyce, and ſuche lyke playes, vſed vpon
 a table) nor to aſſociate or gaſe vpon the players at ſuche
 playes, nor to be gaſers at any other open ſightes: if any
 offende

offende against this decreé, w^e commaunde that he be prohibited from all sacred mynistery for the space of threé yéeres, & to be thrust into a monasterie. After these constitutions made for the gouvernement of the secular clergy (as you terme it) in causes Ecclesiasticall, the Emperour descendeth to make statutes, ordinaunces and rules for monasticall persones (commonly called Religious) declaringe, that there is no manner of thinge, whiche is not thoroughly to be searched by the authority of the Emperour, who hath, (saith he) received from God the common gouernment and principalitie ouer all men. And to shewe further that this principlitie is ouer the personnes, so well in Ecclesiasticall causes as Temporal, he prescribeth orders and rules for them, and committeth to the Abbottes and Bishoppes (iurisdiction) to see these rules kept, concludinge that so well the Magistrates, as Ecclesiasticall persones, ought to keepe incorrupted all thinges whiche concerne godlines: but aboute all other the Emperour, who ought to neglect no manner of thinge pertaininge to godlines. I omitte many other Lawes and constitutions, that not onely this Emperour, but also the Emperours befoze him made, touchinge matters and causes Ecclesiasticall, and do remitte you vnto the Code, and the Authentiques, where you may see that all manner of causes Ecclesiasticall, were ouersene, ordered & directed by the authozitie of the Emperours, and so they did the duetifull seruice of Kinges to Chryste, in that (as S. Augustine saith) they made lawes for Chryste.

Const. 133.

The Prince
hath
supreme
gouernment
ouer al
persones
in all
manner
causes.

August. Epist. 48.

Bracha. 1. 2.

Arriamirus Kinge of Spaine, commaunded two counnelles to be celebrated in a Citie called Brachara, the one in the second yéere of his reigne, the other the thirde yéere, wherein were certaine rules made or rather renewed touchinge matters of faith, touchinge constitutions of the Church, and for the dueties and diligence of the Clergie in their offices.

Brach.3.

Wambanus Kinge of Spaine, seeinge the great disorders in the Churche, not onely in the discipline, but also in the matters of Faith, and about the administration of the Sacramentes, calleth a Synode at Brachara, named Concil. Brachar. 3. for the reformation of the errours and disorders aboute the Sacramentes and Churche discipline.

About this time after the death of pelagius 2. the Clergy and the people elected Gregoꝝ the firste, called afterwards the great. But the custome was (saith the Sabellicus) which is declared in an other place, that the Emperours should ratifie by their consent, the election of him that is chosen Pope. And to stay the Emperours approbation (saith Platina) he sente his messengers with his letters, to beseeche the Emperour Mauritiuſ, that he woulde not suffer the election of the people and clergy to take effect, in the choyse of him. &c. so muche did this good man (saith the Sabellicus) seekinge after heauenly thinges, contemne earthly and refused that honour, for the whiche other did contende so ambitiously. But the Emperour beyng desirous to plante so good a man in that place, woulde not condescende to his request but sent his Embassadours, to ratifie and confirme the election.

Tol.3.

Richardus King of Spaine, rightly taught and instructed in the Christian faith, by the godly and Catholique Bishoppe Leander Bishop of Hispalia, did not onely bringe to passe, that the whole nation, shoulde forsake the Arianisme and receyue the true faith, but also did carefully study howe to continue his people in the true Religion by his meanes newly receiued. And therefore commaunded all the Bishoppes within his Dominions to assemble together at Tolerum, in the fourth yere of his reigne, and there to consulte about stayinge and confirminge of his people in true faith and Religion of Christe by godly discipline.

Urban

When the Bishoppes were assembled in the conuocation house, at the kinges commaundement: the king commeth in amongst them, he maketh a short, but a pithy and most Christian oration vnto the whole Synode: Wherein he sheweth, that the cause wherfore, he called them together into the Synode was, To repaire and make a newe fourme of Church discipline, by common consultation in Synode, whiche had bene letted longe time before by the Hereticall Arianisme, the whiche stay and let of the Arians heresies, it hath pleased God (saith he) to remoue and put away by my meanes. He willet them to be ioyfull and gladde, that the auncient manner to make Ecclesiasticall constitutions for the well ordering of the Church, is now thorough Gods providence reduced and brought againe to the boundes of the Fathers by his honorable industry. And laste of all he doth admonishe and exhorte them, before they beginne their consultation, to faste and pray vnto the Almighty, that he will vouchesaulfe to open and shewe vnto them a true order of discipline, whiche that age knewe not, the senses of the Clergie were so muche benumbed, with longe forgetfulness. Whereuppon there was a three dayes faste appointed. That done the Synode assembleth, the kinge commeth in, and sitteth amongst them: he deliuereth in writinge to bee openly redde amongst them the confession of his Faith, in whiche he protesteth, with what endeour and care, beyng their king, he ought not onely to study for himselfe, to be rightly geuen to serue and please God with a right Faith in true Religion, but also to provide for his subiectes, that they be thoroughly instructed in the Christian Faith. He affirmeth and thereto taketh them to witnes, that the Lorde hath inspired him by, enflamed with the heate of Faith: both to remoue and put away the furious and obstinate Heresies and

The due and full care of a Prince about Religion.

Schismes, and also by his vigilaunt endeuour and care to call and bringe home againe the people vnto the confession of the true faith, and the communion of the Catholique Church. Further alluding to the place of S. Paule, where he saith, that thorough his mynistry in the Gospell, he offreth by the Gentiles vnto God, to be an acceptable Sacrifice: he saith to the Bishoppes, That he offreth by their mynisterie, this noble people, as an holy and acceptable sacrifice to God. And laste of all with the reherfall of his faith, he declareth vnto the Bishoppes, That as it hath pleased God by his care and industry to winne this people to the faith, and vnite them to the Catholique Church: so he chardgeth them, now to see them staide and confirmed by their diligent teachinge, and instructinge them in the trueth. After this confession was redde, and that he him selfe, and also his Quene Badda, had confirmed and testified the same with their handes subscription: the whole Synode gaue thanks to God with many and sundry acclamacions, saying: That the Catholique Kinge Richardus is to be crowned of God with an euerlastinge crowne, for he is the gatherer together of newe people into the Church. This Kinge truly ought to haue the Apostolique rewarde, who hath perfourmed the Apostolique office. This done, after the Noble menne and Bishoppes of Spaine, whome the worthy Kinge had conuerted, and brought to the vnitie of Faith, in the Communion of Christes Church, had also geuen their confession openly, and testified the same with subscription: the Kinge willinge the Synode to goe in hande to repayze and establishe some Ecclesiasticall discipline, saith to the Synode, alluding to S. Pauls saying to the Ephesians, to this effect: That the care of a kinge ought to stretch forth it selfe, and not to cease till he haue brought the subiectes to a full knowledge and perfect age in Christ: and as a kinge ought to bende all his power and authoritie to repress

the

A princes
special care
for his sub-
iectes.

the insolence of the euill, and to nourish the common peace and tranquillitie: Euen so ought he muche more to study, labour and be carefull, not onely to bring his subiectes from errors and false Religion, but also to see them instructed, taught, and trained vp, in the trueth of the cleere light. And for this purpose he dooth there decree of his owne authoritie, commanding the Bisshoppes to see it obserued, that at euery Communion time, before the receipt of the same, all the people with a loude voice together, doo recite distinctly the Symbole, or Crede, set forth by the Nicen councill. When the Synode had consulted about the discipline, and had agreed vpon suche rules and orders, as was thought moſte mete for that time and Church, and the kinge had considered of them, he doth by his assent and authoritie, confirme and ratifie the same, and first subscribeth to them, and then after hym all the Synode. This zelous care and carefull study of this, and the other aboue named princes, prouiding, ruling, governing, and by their princely power and authoritie, directing their whole Clergy, in causes or matters Ecclesiasticall, was neuer disallowed, or misliked, of the auncient fathers, nor of the Bisshoppes of Rome, till nowe in the latter dayes, the insatiable ambition of the Clergy, and the ouermuche negligence and wantones of the Princes, with the grosse ignorance of y whole Laity, gaue your holy father, the childe of perdition, the full sway, to make perfect the mystery of iniquitie: Yea, it may appere by an Epistle that Gregorius surnamed great, Bishop of Rome, writeth vnto this worthy king Richardus, that the Bishop of Rome did much comende this carefull gouernement of Princes in causes of Religion. For he moſte highly commendeth the doinges of this moſte Christian king. He affirmeth that he is ashamed of hym selfe, and of his owne slacknes, when he doth consider the trauaill of kinges in gathering of soules to the celestial

Li. Epist. 7.
Epist. 126.
the Pope at
that time
commended
the Princes
gouernment
in causes
Ecclesiast.

The prince calleth con- the king) answer, at the dreadfull doome, when your excellencie
 cels and go- shall leade after your selfe flockes of faithfull ones, whiche you
 uerneth Ec- haue brought into the true faith, by carefull and continuall prea-
 clesticall ching. &c. Although I haue medled and done nothing at all with
 causes with you, doing this altogether without me, yet am I partaker of the ioye
 out any do- therof with you. Neither doth Gregoꝝy blame this kyng
 inge of the as one medlyng in Churche causes, wherin he is not Ru-
 Pope therin ler: but he prayseth God for him, that he maketh godly
 constitutions against the vnfaithfulnes of miscreantes: &
 for no worldly respect wilbe perswaded to se the violated.

Next after sabinianus, an obscure Pope, enemy and
 successeur to this Gregoꝝy, succeeded Bonifacius. 3. Who al-
 though he durst not in playne dealing denie, or take from
 the Emperours, the authoritie & iurisdiction in the Popes
 election, and other Churche matters: yet he was the first
 that opened the gappe thereunto: for as Sabell testifieth,
 with whom agree all other wryters, for the moste parte:
 This Bonifacius immediatly vpon the entrance into his Papacy, dealt
 with Phocas, to winne that the Churche of Rome, might be head of al
 other Churches, the which he hardely obtained, bicause the Grecians did
 chalenge that prerogative for Constantinople. After he had obtey-
 ned this glozious & ambitious title, of the bloudy tyrant
 Phocas, and that with no smal bzibes: like vnto one that ha-
 uing a beame in his owne eye, went about to pul the mote
 out of his brothers, he made a decree, that euery one should be
 accursed, that prepared to himselfe a way into the Papacy, or any other
 Ecclesiastical dignitie, with friendship or bribery. Also that the Bishops
 in euery city, should be chosen by the people and Clergy: and that the e-
 lection should be good, so that the Prince of the City did approue the
 party by them chosen. and the Pope adding his authoritie thereto, had
 one saide, volumus & iubemus: we will and commande. But
 saith Sabell. both these decrees are abolisshed.

Powe

Sabell.
 Plat.
 Paul. Diac.
 Volater.
 Naucler.
 Martinus.

Nowe began this matter to bꝛue by litle and litle,
 first he obtained to be the chiefe ouer all the Bishoppes,
 then to couer vice with vertue, and to hide his ambition,
 he condemned all ambition in labouring Spirituall pro-
 motion, and in the election of Bishoppes, where the con-
 firmation befoze was in the Emperours: bicause the Em-
 perour gaue him an Inche, he toke an elle, bicause he had
 giuen him a foote, he would thrust in the whole body, and
 tourne the right owner out. For lending out y^e Emperour,
 he putteth in the Princes of the Cities, from whome he
 might as easely after wardes take away, as for a shew he
 gaue falsely that vnto them, that was none of his to giue:
 graunting vnto them the allowance of the electiō: but to
 him selfe y^e authoritie of ratifying, or infringing the same,
 choose them whether they would allowe it or no. And to
 shew what authoritie he would reserue to him selfe, bo-
 rowing of the tyrant, speaking in the singular nombꝛe. Sic
 volo, sic iubeo, so wil I. so do I cōmaunde: for the moze mag-
 nificence in the plural nombꝛe, he princely lappeth vp all
 the matter with volumus & iubemus, we wil and cōmaunde:
 Which wordes, like the Lawe of the Medes & Persians, y^e
 may not be reuoked, if they once passe through the Popes
 holy lippes, must nedes stand, allowe or not allowe, who
 so list, with ful authoritie the matter is quite dashed. But
 thākes be to God for al this (the decree is abolis^{hed}) foloweth
 immediatly. For shortly after, Isachus y^e Emperours Lieute-
 nant in Italy, did confirme & ratifie the election of *seuerinus*
 the first of that name, for saith Platina. The election of the
 Pope made by the Clergie and people in those daies, was but a vaine
 thing, vnles the Emperour, or his Lieutenant had confirmed the same: Iu-
 sifemandus the king of Spain, calleth forth of al partes
 of his dominions the Bishops to a City in Spaine, called
 Toletum. The purpose and maner of the kynges doynge
 in that

Sabel.

Tol. 4.

in that councell, the Bishoppes them selues set forth, first as they affirme: They assemble together by the preceptes and commaundement of the king, to consult of certeine orders of discipline for the Church, to reforme the abuses that were crept in about the sacramentes and the maners of the Clergie. The king with his nobles, commeth into the councell house: He exhorteth them to carefull diligence, that thereby all errours and abuses, may be wypt away cleare out of the Churches in Spayne. They folowe the kinges direction, and agree vpon many holosome rules. When they haue concluded, they beseeche the king to continue his regiment, to gouerne his people with iustice and godlines. And when the king had geuen his assent to the rules of discipline, which they had agreed vpon, they subscribed the same with their owne bandes.

Tol. 5.

The like Synode *Chincillanus* kyng of Spayne, did conuocate at *Toletum*, for certein ceremonies, orders, and discipline, whiche was confirmed by his precept and decree, in the first yere of his reigne. And an other also by the same king, and in the same place, and for the like purpose, was called and kept the second yere of his reigne.

Tol. 6.

Tol. 7.

Chindasuindus king of Spaine, no lesse careful for Church matters and Religion; than his predecessours, appointeth his Bishoppes to assemble at *Toletum* in conuocation, and there to consult for the stablishing of the faith, & Church discipline, whiche they did.

Tol. 8.

Recceswinthus kinge of Spaine, commaunded his Bishops to assemble at *Toletum*, in the first yere of his reigne, and there appointed a Synode, wherein besides the Bishops and Abbottes, there sate a great company of the noble men of Spayne. The king him selfe came in amongst them, he maketh a graue and very godly exhortation vnto the whole Synode, he professed how carefull he is, that his subiectes should be rightly instructed in the true faith, and

and Religion. He propoundeth the fourme of an Othe whiche the clergy and others of his subiectes were wonte to receiue, for the assurance of the Kinges saulsty. He exhorteth them to ordeine sufficiently for the mainenance of godlines and iustice. He moueth his nobles that they will assist and further the good and godly ordinaunces of the Synode. He promisetht that he will by his princely authoritie, ratifie and maineteine what so euer they shal decrees, to the furtherance of true Godlinesse, & Religion. The Synode maketh ordinaunces: the clergie, and nobilitie there assembled subscribeth them: and the kinge confirmeth the same with his royal assent and authoritie. He called two other Synodes in the same place for such like purpose, in the seuenth & eyght yeres of his reigne.

Tol. 9.

Tol. 10.

Dist. 63.

cap. 26

Vitalianus beinge chosen Pope, sente his messengers with Synodicall letters (according to the Custome, saith Gratian) to signifie vnto the Emperour of his election. In this Popes time (saith the Pontificall) came Constantinus the Emperour to Rome, whom this Pope with his cleargie, met sixe myles out of the Citie, and did humbly receiue him. It is wonderful to consider (althoughe the Historians, beyng Papistes for the most parte, couer the mater so muche as may be) what practises the Popes vsed to cathe from the Emperours to them selues, the superiouritie in gouerninge of Church matters: When they sawe, that by slowte and bzyane presumption, theyr ambitious appetites coulde not be satisfiied, they turned ouer an other leafe, and coueringe their ambitious meaninge with a patched cloke of humilitie & lowlinesse, they wan muche of that, whiche with pride and presumption they had so often befoze this time attempted in vaine.

With this wily lowlinesse, Donus the nexte sauing one to Vitalianus, brought vnder his obedience the Archebysshop

P

of

Pontificall.

of *Rauenna*. There had been an olde and continuall dissension betwixt the Archebishop of Rome, and the Archebishop of *Rauenna*, for the superiortie: The *Rauennates* accompting their sea equall in dignitie, and to owe none obedience to the sea of Rome, for they were not subiect thereunto: To finishe this matter, and to wyinne the superiortie, *Donus* first practised with *Reparatus* the Archebishop of *Rauenna*; to giue ouer vnto hym the superiortie, and become his obedienciary, and that (as it maye appeare by the sequele) wythout the consente of his Church. After the death of *Reparatus*, whiche was within a whyle, *Theodorus* a familiar friende to *Agatho* the Pope, and a skoute man, (whome *Agatho* did honour with his Legacy vnto the syxth generall counsell at *Constantinople*) because his Clergie woulde not wayte on hym on Christmas daye, so solempnely conductinge him vnto the Church as the manner had been, did giue ouer the title, and made his sea subiecte to the Pope for enuie and despire of his Clergie, (saith *Sabellicus*) wherewith the *Rauennates* were not content, but beinge overcome by the authoritie of the Emperour *Constantine*, who muche fauoured *Agatho*, they bare it as patiently as they myght. And *Leo* the seconde, successeur to *Agatho*, made an ende hereof, causing the Emperour *Iustinian* to shewe great crueltie vnto the whole Citie of *Rauenna*, and to *Exile* their Bishoppe, because they would haue recovered their olde libertie. And so this Pope *Leo* by the commandement and power of the Emperour *Iustinian*, brought *Rauenna* vnder his obeisaunce, as the Pontificall reporteth. These Popes throught their feyned humilitie and obedience vnto the Emperours, whiche was but dutie, wan both muche fauour and ayde at the Emperours handes, to achieue their purpose muche desired.

But

But *Benedictus* the seconde, who succeeded next to *Leo* the seconde, went in this point beyonde all his pzedecessours, for *Constantine* being moued with his humanitie, pietie, and fauourablenes towardes al men, when he sent to the Emperour for his confirmation: the Emperour sent saith *Platina* a decree, that from henceforth, loke whom the Clergie, the people, and the Romain army, should chose to be Pope, all men, without delay, should beleue him to be *Christes* true vicar, abiding for no confirmation by the Emperour, or his Lieutenant as it had been wonted to be doon. &c. For that was wont to be allowed in the Popes creation, that was confirmed by the Prince hym selfe, or his vicegerent in Italy.

Here first of al it appeareth (if this story be true) how this interest of the Prince in this Ecclesiasticall matter thus continuing long tyme, although many wayes assailed, and many attemptes made by the Popes, to shake it of, was at the lengthe through their flattery (whiche their Parasites call humilitie) geuen vnto them of the Emperours, to whom it appertained. But whether this story be true or not, or if it were geuen, how it was geue, or how long the giftes toke place, or howe it was taken away and retourned to the former right, may well be called into question, for there is good tokens to shewe, that it was not geuen in this sort. For these two Popes who sate in the Papal seate but .10. moneths a peece or thereabouts, were in no such fauour with the Emperour, as was their pzedecessor *Agatho*, who made great suite vnto the Emperour for such like thinges, & obtained his suite, but with a speciall promise for the reservation of this authoritie, still to remaine vnto the Emperours, as wytnesseth the Pontificall and *Gratian*. He receiued from the Emperour letters (saye they) accordinge to his petition, whereby the somme of money was released that was wonte to bee geuen

Dist. 63.

(to the Emperour) for the Popes Consecration: but so that if there happen after his death any election, the Bishop elect be not consecrated before the election be signified to the Emperour by the generall decree (he meaneth the Synodical letters) according to the ancient custome, that the ordering of the Pope may goe forward, by the Emperours knowledge or consent and commaundement. The Glossar vpon Gratian noteth vpon these wordes: vvhich summe was wonte to be geuen: For euery Bishop was wonte to geue somethinge to the Emperour at his election. But did not the Emperour committe Symonie in releasinge this right vnder this condution, that his consent should be required in the election? answere, no: bicause both these belonged to him of right before, wherefore he might not re-mitte the one.

But as I saide, let it be true, that Constantine gaue ouer this iurisdiction, yet Volateranus addeth to this suspected donacion, this clause, founde true by experience, which donation (saith he) was not longe after obserued. And in dede it was kept so small a while, that within one yere after or litle moze, when the electours after longe alteration, had agreed on Canon: Theodorus the Emperours Lieutenaunt (as saith Sabellicus) gaue his assent: and Platina sheweth the same, although not so plainly. So that by this also it appeareth, that if still it appertained to the Emperours Lieutenaunt, to geue his assent to the Popes electio, that than this giste is either fained of the Papistes (and that the rather vnder the name of Constantinus, to blear therewith the ignorauntes eies, as though it were the graunt of Constantine the great, as they do about Images with the name of the Nicene Councell) or bylike the giste was not so authentically ratified, as it was vnabusedly promised: but how so euer it was, it helde not longe: the Pope him selfe solempnely with the consent and decree of a whole Councell, resigning al the foresaide graunt vnto the

the Emperour for euermore. But I returne againe to Agatho, who (as I saide) beinge in great fauour with Constantine the Emperour, Determined (saith Platina) to haue a councell to decide the error of the Monothelites. But bicause he coulde not him selfe by his owne authoritie, call a general councell, for that belonged to the Emperour, who in that time was busie in the warres against the Saracens: He waited (saith Platina) for the returne of the Emperour.

This Constantinus surnamed Pogonatus, about the yere of the Lord. 680. calleth the Bishoppes out of all coastes vnto a generall Councell: in his letters of Sommons to Donus, (but committed to Agatho Bishoppe of Rome, Donus beinge dead) he admonisheth him of the contetion betwixt the sea of Rome and Constantinople, he exhorteth him to laie aside all strife, seruencie, and malice, and to agree in the trueth with other, addinge this reason: For God. loueth the trueth, and as Chrysostome saith: He that wilbe the chiefest amongst all, he must be mynister vnto all, (by whiche reason made by the Emperour, it may seme, that the pride of those two seates, struinge for superiortie and supremacie, was a great nourishment of the Schisme, whiche was chiefly in outwarde shewe onely for doctrine.) He protesteth that he will shew him selfe indifferent, without parcialitie to any parte or faction, onely seeking, as God hath appointed him, to keepe the Faith that he had receiued wholly and without blotte. He exhorteth and commaundeth the Bishoppe of Rome, not to be an hinderaunce, but to further this Councell with sendinge suche as are fitte for suche purpose. The Bishoppe of Rome obeyeth the Emperours commaundement. And the like letters the Emperour sendeth to George Bishoppe of Constantinople, and others. The Emperour sat in the councell him selfe, as President and moderatour of all that action: ha-

Const. 6.

The Bishop
of Rome, at
the Empe-
rours com-
maundment
in Eccl.
matters.
Act. 17.

winge on his right hande a greate companie of his Nobles, and of his Bishoppes on his lefte hande. And whan the holy Ghospelles was broughte forth, and laide befoze them, as the iudges, whose sentence they ought to followe, as it was also wonte to be done in the forenamed Councelles: The deputies for the Bishoppe of Rome standeth vp, and speaketh vnto the Emperour in moste humble wise, callinge him moste benigne Lorde, affirminge, *the Apostolike seate of Rome to be subiect vnto him*, as the seruant vnto the Paister: and beseechinge him, that he will commaunde those that tooke parte with the Bishoppe of Constantinople, whiche had in times paste brought in newe kindes of speache: and erronious opinions, to shewe from whence they receiued, their newe deuised Heresies. The Emperour commaundeth *Macarius* Archebishoppe of Antioche, and his sde to answere for them selues. And after diuerse requestes made by him to the Emperour, and graunted by the Emperour vnto him, the Emperour commaundeth the Synode to staie for that time. In the next session after the selfe same order obserued, as in the firste, *Paulus* the Emperours Secretarie beganne to put the Councell in remembrance of the former daies proceedinge. The Emperour commaundeth the Actes of the Chalcedon Councell to bee brought forth and redde. At length whan a manifest place was alledged out of Leo the Pope, the Emperour him selfe disputed with *Macarius* on the vnderstandinge thereof. The Secretary hauinge offered the booke of the fiste Councell, the Emperour commaundeth the Notary to reade them. The Notary beganne to reade, and within a while the Popes Legates risinge vp, cried out *this booke of the fiste synode is falsified*, and there alledged a reason thereof: wherewith the Emperour and the iudges being

AA.2.

AA.3.

beynge moued, beganne to looke moze narrowly to the booke, and espyinge at the laste, that thzee quater-
 nions was thruste into the beginnynge, the Emperour
 commaunded it shoulde not be redde. Note here, that
 the Popes Legates were but the plaintife parties in this
 Councell, and not the Judges thereof, the whiche moze
 plainly followeth: eyther parties stryuinge vppon a
 like corrupte place. The Emperour commaunded the
 Synode and the Judges (whiche were Lay men) to per-
 use the Synodicall bookes, and to determine the matter,
 whiche they did. George the Archebishop of Constanti-
 nople most humbly besecheth the Emperour that he will
 cause the letters whiche Agatho the Pope, and his Synode
 sent vnto the Emperour to be redde ones againe: the Em-
 perour graunteth his request.

In the nexte session the order and fourme obserued as AC. 4.
 in the firste, the Emperour commaunded firste of all
 Pope Agatho his letters to be redde: in the whiche let-
 ters is manifestly confessed by the Pope him selfe: so
 well the Emperours supreme gouernment in Ecclesiasti-
 call causes, as the Popes obedience and sublection vnto
 him in the same. For in the beginnynge, he declareth
 what pleasure and comforte he conceyued of this, that
 the Emperour sought so carefully, that the sincere Faith
 of Christe shoulde preuaile in all Churches: that he
 vsed suche mildenes and clemencie, therein followynge
 the example of Christe, in admonishynge him and his
 to geue an accompte of their Faith, which they preached:
 that beynge emboldened with these comfortable letters
 of the Emperour, he performed his ready obedience in accom-
 plishynge the Emperours preceptes effectually. That he made
 inquisition for satisfynge of his obedience (to the Emperour)
 for apt men to be sente to the councell: the whiche thing,
 saith

saith the Pope to the Emperour, the studious obedience of our service, would haue perfourmed soner, had it not been letted, by the great circuite of the Prouince, & longe distances of place. He protesteth that he sendeth his Legates accordinge to the Emperours commaundement, not of any sinister meaninge, but for the obedience sake (to the Emperour) whiche (saith he) we owe of dutie. He maketh a confession of his faith, concerning the controuersie, adding the testimonies of many auncient fathers. And he dooth proteste, that he with his Synode of the Westerne Bishoppes, beleeueth that God reserved the Emperour to this tyme for this purpose. That he (the Emperour) occupiynge the place and zeale of our Lorde Iesu Christe, him selfe here in earth, shoulde giue iust iudgement or sentence, on the behalfe of the Euangelicall and Apostolicall trueth.

The prince
is Christs
Vicar in
earth, in
causes Eccle-
siasticall by
the Popes
confession.
A.C. 5.

In the next session, the Emperour sitteth as President, and Moderatour, accompanied with many of his nobles, sitting about him. On his right hande sate Georgius the Archebishop of Constantinople, called newe Rome, and those y were with him: on the other side, vpon the Emperours lefte hande, sate the Legates of the Archebishop Agatho of olde Rome, these two as agent parties. When they were thus set, the Emperours Secretary brought forth the Gospelles, putteth the Emperour in mynde, what was done the session befoze, and desireth his maiestie to cause Macarius & his party, to bypng out likewise their testimonies, as the Legates from Agatho of olde Rome had done, for their party. The Emperour commaundeth, Macarius obeyth, and desireth that his bookes may be redde: the Emperour commaundeth they should so be.

A.C. 7.

After the shewing of the allegations on bothe sides, the Legates of olde Rome, desier the Emperour that they may know, if the aduersaries agree on the tenour of their
two

two forsaydesuggestions. The aduersaries beseeche the Emperour, that they might haue the copies of them: the Emperour commaundeth, that without delay their request should be fulfilled. The bookes were brought forth and sealed with the scales of the Judges, & either of the parties. This againe proueth that the Popes Legates were none of the Judges, but one of the parties. And so in the eight, nynt, and tenth action, the same order of doyng is obserued in like sort, as before, in suche wise that no one in the Synode, neither the whole Synode, doth any thing without licence, and the direction of the Emperour, the president and chief ruler in all those causes.

In the ende of the eleuenth Action. The Emperour assigneth certeine of his noble counsaillours, to be the directours in the Synode, so that he was to bee occupied in other weighty affaires of the common weale. Hetherto we see how the Emperour in his owne persone with his lay Princes also, was the supreme gouernour, was the President, oversear, commaunder, ratifier, and directour, of all thinges done in the countell. The Popes Legates and all the whole countell, humbly yelding al these thinges vnto him alone. The residue of the actes, or any thinge therein done, was likewise his deede, by his deputies, although he him selfe in persone, was not present. The Bishops and Clergy, which were of the Prouince of Antioche, when *Macarius* was deposed by the iudgement of the Synode, do make supplication vnto the Judges, the Emperours deputies & counsaillours, that they wilbe meanes vnto the Emperour to appoint them an other Archbishop in the place of *Macarius* nowe deposed.

The Judges make them aunswere, that it was the Emperours pleasure, that they shoulde determine amongst them selues, whom they would haue, and bringe
 D their

Act. 11.

Act. 12.

Act. 13.

their decree vnto the Emperour. At the last the whole Synode doo offer their diffinition subscribed with their handes to the Emperour, beseeching him to examen and confirme the same. The Emperour within a whyle saith: We haue redde this definition, & geue our cōsent therunto. The Emperour asked of the whole Synode, if this definition be concluded by vniourme cōsent of all the Bishops, the Synode answered: vve all beleue so, we be al of this mynde, God sende the Emperour many yeares: Thou hast made all heretiques to flie, by thy meanes all Churches are in peace, accursed be all Heretiques. In the whiche curse, the whole Synode curseth Honorius Pope of Rome with the great curse, whome the Synode nameth in. 17. action, one of the chiefest of these Heretiques, who at here cursed. The Emperour protesteth that his zeale to conserue the christian faith undefiled, was the only cause of calling this Synode. He sheweth what was their partes therein, to wryt, to weighe consideratly Gods holy scriptures, to put away all noueltie of speche or assertion, added to the pure Christian faith, in these latter daies by some of wicked opinion, and to deliuer vnto the Church this faith most pure and cleane. They make a commendatory oration vnto the Emperour with muche ioyfulness declaring, that this his fact about this synode in procuring to his subiectes true Godlines, and to all the Church a quiet state, was the most comely thing, the most acceptable seruice, the most liberall oblation or sacrifice, that any Emperour might or could make vnto God. And declaring the humble obedience to his precept or sommons of the Bishoppe of Rome, who sent his Legates, being sicke him selfe, and of them selues being present in their owne persones, they doo moste humbly beseeche him to set his seale vnto their doinges, to ratifie the same with the Emperiall wryt, and to make edictes and constitutions wherewith to confirme the actes of this councell, that all controuersie in tyme to come, may bee vnterly taken away. All whiche the Emperour

Wherein
cōsisteth the
office of bi-
shoppes.

The princes
most accep-
table ser-
uice to god.

perour granted vnto them, addinge his curse: as they had
 doon befoze, so well agatist all the other Heretiques, as
 also agatist *Honorius late Pope of Rome, a companion, fauour, and*
confirmer, (saith he) of the others heresies in all poyntes. After
 this, the Emperour directeth his letters to the Synode
 at Rome of the *Western* Bishoppes, wherein he com-
 mendeth their diligence about the confuting of the here-
 lies. He describeth the miserable estate the Church was
 in, by meanes of the Heresies: for, sayth he, the inuen-
 tions of Heresies are made the chiefe Bishoppes, they
 preached vnto the people contention in steade of peace,
 they sowed in the Church sorowes, cockle for wheate, &
 all Church matters were troubled, and cleane out of
 order. And bicause these thynges were thus disordered,
 and impietie consumed Godlines, wee set forward thither, wher-
 unto, it becommeth vs to directe our goinge (meanyng to seeke
 by all meanes the redresse of these disorders in Church
 matters) wee labour with earnestnes for the pure faith, wee
 attende vpon Godlines, and wee haue our speciall care aboute
 the Ecclesiasticall state. In consyderation whereof, wee
 called the Bishoppes out of farre distant places to
 this Synode, to set a Godly peace and quietnes in the
 Church matters, &c. To this epistle of the Emperour,
 Leo the seconde Bishop of Rome, maketh aunswere (for
 Agatho was dead) by letters, whereof this is the effect.
 I geue thanks vnto the kyng of kynges, who hath be-
 stowed on you an earthly kyngdome, in suche wyse, that
 he hath geuen you therewith a mynde to seeke much moze
 after heauenly thynges. Your pietie is the fruite of mercy, but
 your authoritie is the keper of discipline: by that the Princes minde
 is ioyned to God: But by this the subiectes receyue reformation of
 disorders. Kinges ought to haue so muche care to reforme and
 correcte naughtynes amongst their subiectes, as to tryumphe

Esa. 49.
Psalm. 98.

ouer their enemies: for in so dooinge they make their authoritie subiect
to serue him, by whose gifte and protection they reigne. VVherefore
seinge that the holy mother the Church, which is the Body of Christe,
enjoyeth by meanes of you her sincere and principall childe, an inuincible
soundnes. Therefore it is written of you, most mercifull Prince,
and of that same holy Church dispersed thorough out all the worlde,
Kinges shalbe thy nourishing fathers, and in like sorte it is written, the
honour of the Kinge loueth iudgement: in that you set muche more by
heauenly than by earthly thinges, and doo preferre without compa-
rison the right faith, before all worldly cares: what other doo you
heretn, than make right iudgement bonde and seruiceable to Goddes
honour and religion, and to offer vnto his diuine Maiestie, an oblation
and burnt sacrifice, of sweete sauour vpon the altar of your hartet
God inspire, encrease and replenishe your princely harte, with the
light of the Catholique doctrine, whereby the cloudes of the hereti-
call prauitie, may be driuen away. I receiued most ioyfully the sy-
nodicall actes, with your letters of highest authority, by the legates
your humble seruantes, which were sente vnto the Councell, from my
predecessour Agatho, at your commaundement. Wherefore with thankes
geuinge I write vnto the Lorde: O Lorde saue our moste Christian
Kinge, and heare him in the day he calleth vpon thee: By whose godly
trauaile the Apostolike godly doctrine or Religion, shineth thorough
the worlde, and the horrible darkenes of hereticall malice is vanis hed
away. For thorough your trauaile, God assistinge the same, that mis-
chiefe which the wicked craft of the Deuill had brought in, is ouer-
throwne: the benefite of the Christian Faith, that Christe gaue to the
saluation of man, hath wonne the ouer hande. The holy and great ge-
nerall Councell, which of late hath bene congregate at Constanti-
nople by your order and praecept: wherein for the seruice and Mynd-
sterie sake that yee owe to God, you had the chiefe rule and governmet,
hath in all pointes followed the doctrine of the Apostles, and approued
accursed for Fathers. I doo detest therefore and curse all Heretiques, yea Hono-
Herefie by rine also late Bisshop of this see, who laboured prophaneely to betray
and

and subuerthe the inuinculate faith. O holy Church, the mother of the the sentēce
faithfull, arise, put of thy mourninge weede, and clothe thy selfe of the Em-
with ioyefull apparaile, beholde thy sonne the moste constant Constan- perour, the
tine, of all Princes thy defendour, thy helper (be not afraide) hath Synode, and
girded himselfe with the swoorde of Goddes woorde, wherewith the Bis hop
he dewideth the miscreantes from the Faithfull: hath armed him of Rome.
selfe in the coats armour of Faith, and for his helmet the hope of
saluation. This newe David and Constantine, hath vanquished the
great Goliath thy boasting enemy, the very Prince and chieftaine of
all mischief and errours the Deuill: and by his carefull trauaile the
right faith hath recouered her brightness, and shineth thorough the
whole worlde.

Bamba Kinge of Spaine commaunded a Synode to be Tol. 13.
had at Toletum in the fourthe yēre of his reigne: the occa-
sion was this. There had bene no Synode by the space
of .18. yēres before, as it is saide in the p̄face to this
Councell, by meanes whereof the woorde of God was
despised, the Church discipline neglected, all Godly or-
der distourbed, and the Church toste and tumbled, as a
shippe without a rowe and sterne, (meaninge a Kinge
to call them togeather in Synode). By the carefull zeale
of this Kinge, beyng called togeather, they consulte how
to resourne errours about Faith, corruption of disci-
pline, and other disorders againste godlines and Reli-
gion. And at the ende they doe geue great thanks vn-
to the noble and vertuous Kinge, by whose ordinaunce
and carefull endenour, they were commaunded to this
consultacion: who as they affirme of him, comminge
as a newe repayer of the Ecclesiasticall discipline in
these times, not onely intended to restoze the orders of
the Councelles before this time omitted, but also hath
decreed and appointed, yeerely Synodes to bee kepte
hereafter.

Tol. 12.

Tol. 13.

Eringius kinge of Spaine commaundeth the Bishoppes and other of his Clergie, to assemble togeather at *Toletum* in one Synode the first yere of his reigne. And called another to the same place, the fourth yere of his reigne: to consulte about refoz-mation of the Church discipline.

When the Bishoppes, and the residue of the Cleargie were assembled in their conuocation, at the commaundemente of the kinge: he him selfe with many of his nobilitie and counsaillours, commeth in to them: he declareth the cause wherefoze he summoned this Synode: he sheweth the miseries the whole countrey hath sustained, and the plagues: he declareth the cause, to be Goddes wrath kindled by meanes of the contempte of Goddes woorde and commaundement: And he exhorteth them that they will with Godly zeale, studie to purge the lande from prauitie, by preachinge, and exercise of godly discipline, and that zealeously. He doth exhor-te his nobles, that were there presente, that they also would care diligently for the furtherance hereof: he deliuereth vnto the Synode a booke, containinge the principall matter wherof they shoulde consulte. And last of all, he promisseth by his hande subscription, that he will confirme and ratifie what the cleargie and nobilitie shall conclude, touching these articles, for the furtherance of godlinesse & Church Discipline.

Egica, Kinge of Spayne, caused in his time also three Councelles to be hadde and celebrated at *Toletum*, for the preservation of Religion, with the Church Discipline in sinceritie and puritie: who also confirmed and ratified the same with his Royall assent and authoritie.

Although aboute this time the Popes devised horrible practises, whereby to winne them selues from vnder the
ouer

oversight and controulment of the Emperour or any other
 and to haue the onely and supream authoritie in them
 selues ouer al, as thei had already obtained to their church
 the Supream title, to be head of other Churches: But the
 Emperours had not altogether surrendred from them
 selues to the Popes, their authoritie and iuridictions in
 Church matters. For when the Church was græuously
 bured with the controuersie about Images, there were di-
 uers great Synodes or Councelles called, for the deciding
 of that troublesome matter by the Emperours: and at the
 laste, that whiche is called the seventh generall or ecu-
 menicall Conncell was called and summoned to be holden
 at Nice in Bithynia, by Constantine and Irene the Em-
 peresse his Mother, who was the supream worker and
 gouernour (although but an ignorant and very super-
 stitious woman, I will say no worse) in this matter.
 For her Sonne was but aboute tenne yeres olde, as
 Zonaras affirmeth, and she had the whole rule, although
 he bare the name. After the deathe of Paule, the
 Emperour appointeth Tarasius the Secretary to be Pa-
 triarche at Constantinople, the people lyked well there-
 of. But Tarasius the Emperours Secretarie refused the
 office, and would not take it vpon him, till the Em-
 perour had promised to call a generall Councell, to
 quiete the brawles in the Church aboute Images.
 The Emperour writeth to the Patriarche of olde Rome,
 and to the other Patriarches, willinge them to sende
 their Legates, vnto a Councell to bee holden at Nice
 in Bithynia. The Bishoppes assemble at Nice by
 the commaundment and decree of the Emperour, as
 they confesse in diuerse places of this Councell. When
 the Bishoppes were sette in Councell, and many laye
 persones of the nobilitie with them: & the holy Gospelles
 were

Zonaras
 Tom. 3.

were brought forth, as the maner was (although the holy Ghospelles were not made Judges in this counsell, as they ought to haue been, and were in al the fozenamed generall counells) *Tarasius* commendeth the vigilant care and seruent zeale of the Emperours, about Church matters: for ordering and pacifying wherof, they haue called saith he, this counsell. The Emperour sendeth vnto the Synode, certeine counsaillours with the Emperours letters patentes, to this effect. *Constantinus and Irene, to the Bishoppes assembled in the second Nicene Synode, by Gods grace our fauour and the commaundement of our Emperiall outhoritie.* He sheweth that it apperteineth to the imperial office, to mainteine the peace, concord, and vnitie, of the whole Romaneyne Empire, but especially to preserve the estate of Gods holy Churches, with all possible care and counsell. For this cause, he hath with paine gathered this council together: giveth licence also and libertie to every man without al feare, to utter his minde and iudgement frankly: to the ende the truthe may the better appeare. He sheweth the order he obserued, in making *Tarasius* Bishop: He prescribeth vnto the Bishoppes what is their office, and what they should doo: propoundinge vnto them the holy Ghospelles, as the right & onely true rule they should folowe. After this he mencioneth letters brought from the Bishop of Rome by his Legates, the whiche he commaundeth to be openly redde in the counsell: and so appointeth also other thinges that they should reade. There was nothing attempted or done in this council, without the authoritie of the Emperours, as in all the former generall counells. And so at the ende, the whole counsell put vp a supplication to the Emperour, for the ratifying of all their doynges. The which when the Emperour had heard openly recited and redde vnto them, they forthwith
 allowed,

allowed, signed and sealed.

Gregorius. 3. sent into Fraunce for succour to Charles Martell, yelding & surrendring by vnto him, that whiche the Pope had so longe sought, by all subtile and mischieuous meanes, to spoile the Emperour & the Princes of. This same Gregory the third (saith Martinus Pontifex, *Pontifex* *tentiarius*,) vvhā Rome was besieged by the king of Lombardy, sent by shippe vnto Charles Martell, Pipines father, the keyes of saint Peters confession, beseeching him to deliuer the Church of Rome from the Lombardes. By the keyes of S. Peters confession, he meaneth all the preheminance, dignitie, and iurisdiction, that the Popes claime to them selues (more and besides that, whiche all other Church ministers haue) ouer and aboue all maner persons Ecclesiasticall, or Tempozall, as geuen of Chyiste onely to S. Peter, for his confession, and so from him to the Popes of Rome by lineal successiō. Seing that this Pope, who was passingly well learned, both in diuine and prophane learning, and no lesse godly, stoute, and constant (if you wil beleue *Platina*) yeldeth and committeth all this iurisdiction, and clayme that he hath, ouer all persones Ecclesiasticall and Tempozall, so well in thinges or causes Ecclesiasticall as Tempozall, vnto Charles Martel a Lay Prince, & great maister of Fraunce: it appeareth that Princes may Lawfully haue the rule, gouernement, and charge, in Church matters. The heires and successours of this Charles Martell, did keepe these keyes from rusting. They exercised the same iurisdiction & gouernement in Ecclesiasticall causes, & the Emperours and kinges had doon, from the tyme of Constantine the great, vntill their tyme, which was almost. 400. yeres. For *Carolomanus* sonne to kyng Pepin, and nephew to Charles Martell, no lesse Princelike than Chyristianly, exercised this his Supreme authoritie in Ecclesiasticall

P

causes,

Synod.
Francica.

causes, and made notable refozmation of the Ecclesiastical state. He sommoned a counsell of his Clergie, bothe Bishoppes and Priestes. 742. yere from the incarnation of Chziste: wherein also he him selfe sate with many of his nobles and counsaillours. He sheweth the cause why he called this Synode. That they should geue aduise (saith he) howe the Lawe of God and the Church religion (meaning the order and discipline) may be restored againe, whiche in the time of my pradeecessours, being broken in sonder, fell cleane away. Also by what meanes the Christian people may attaine to the saluation of their soules, and perswade he not, being deceiued by false priestes. He declareth what ordinaunces and decrees were made by his authoritie in that Synode. Vve did ordeine Bishoppes through the Cities (saith he) by the counsell of the Priestes, and my nobles, and did constitute Bonifacius to be the Archibishop ouer them. Vve haue also decreed a Synode to be called together euery yere, that the decrees of the Canons, and the Lawes of the Church, may be repaired in our presence, and the Christian Religion amended. &c. What the money whereof the Churches haue been defrauded, be restored. Vve haue degraded the false Priestes, Deacons, and Clerkes, being adulterers, and fornicatours, and haue driuen them to penance. We haue vtterly forbidden, all maner hunting and haukinge to the Clergie. We decree also, that euery priest dwelling in y^e diocesse, be subiect vnto his own bishop, & that always in Lent, he make an accompt & shew to the bishop the manner & order of his ministry, touching baptisme, the catholique faith, prayers & the order of Masses. And whāsoeuer the Bishop shal go his circuite to confirme the people, the priest shalbe ready to receiue him with a collection & helpe of the people. What y^e priest seke for new chzysme always on Maundy thursday at the Bishops hand, that y^e Bishop may be a witnes of his chaste life, of his faith and doctrine. We decree further, that no vnknown Bishop or Priest, be admit,

Naucerus.

be admitted into the church ministry, before he be allowed by the Synode. He maketh many such like, for the reformation of y^e Clergy, in what sort they shalbe punished, if they comit whozdonie, & likewise against sozcery wythcraft, diuinations, incantations, & all kinde of p^rophane superstitions. If there were no moze ex^am^ples of any church history, but this of Caroloman, it woulde suffice to make playne that to the Princes authoritie apperteyneth, to make Lawes, and to the Clergy to geue him counsaile out of Gods worde, howe to frame the discipline, to the edifying of Goddes Church.

About this time was one Bonifacius not Pope, but as they call him the great Apostle of the Germanes, the like for all the worlde to our Apostle here in Englande, Augustinus Anglorum Apostolus: Either of them might be called, the Popes Apostles, whose great champions they were. And euen such Ecclesiasticall matters as our Apostle treateth of, hath this Apostle in his Epistles to the Pope, as this. He asketh his holines when fatte bakon shoulde be eaten: The Pope answereth, when it is well smoke dried or refty, and then sodden. Like wise he asketh whether we shall eat Dawes, Crowes, Hares, and wilde Horses: The Pope biddeth him to beware of them in any wise. Also he asketh him howe, if Horses haue the fallinge sicknesse, what we shall doo to them: The Pope answereth, hurle them into a ditche. He asketh what we shall doo with Beastes bitten with a madde dogge, the Pope biddeth him kepe them close, or hurle them into a pitte. He asketh if one Nonne may washe an others feete, as men may: the Pope answereth, yea, on Goddes name. Also he asketh, howe many Crosses, and where aboutes in his body, a man shoulde make them. These and a great many such like, are the Popes and his Apostles, Ecclesiasticall matters. But leaue these trybles, note that in those Ecclesiasticall matters, whyche he dyd

to any purpose the lay Princes had the entermedling, as appeareth by the Pope Zacharias Epistle to this Boniface. It is no maruella though this kinge Charloman, as also Charles the great, and other noble Princes, after their time establiſhed by their authoritie in Synodes many superstitions, and idolatrous obseruances, as of Passes, Chrysmes, and suche like abuses, beinge moued with the zeale, that all Princes ought to haue, But wanting the pure knowledge that good and faithfull Bishops should haue instructed them withall: seinge suche blynde buffardes as this Boniface had the teachinge of them, who like blynde guydes, ledde them in the bottomles pit of all superstitions and false Religion.

Adrianus the first, Pope, beinge muche vered thzough his owne furious pryde, by Desiderius kyng of Lombardy, sendeth to Carolus Magnus, and requireth him of his ayde against the Lombardes, promysing to make him therfore Emperour of Rome: Charles commeth, vanquisheth Desiderius, and so passeth into Rome, whom the Pope receiued with great honour, geuing to him in part of recompence, the title of *most Christian king*, and further to augmet his beneuolence towarde Charles, desired him to sende for his Bishops into Fraunce, to celebrate a Synode at Rome: wherein were gathered together of Bishops, Abbottes, and other Prelates, about. 154. In whiche counsell also Carolus him selfe was present as saith Martinus.

Dist. 63.

Gratianus maketh report hereof out of the Church history on this wise. Charles after he had vanquished Desiderius, came to Rome, and appointed a Synode to be holden there with Adrian the Pope. Adrian with the whole Synode, deliuered vnto Charles, the right and power to elect the Pope, and to dispose the Apostolique see. They graunted also vnto him, the dignitie of the aunciēt bloud of Rome. wherby he was made a Patrician, & so capable of y^e imperial dig^{ty}

rial dignitie. Furthermore he decreed that the Archbishops and Bishops in every prouince should receiue their inuention of him: so that none should be consecrate, onlesse he were comended and inuentioned Bishop of the Kinge. VVho so euer would doo contrary to this decree, should be accursed, and except he repented, his goodes also should be confiscate. Platina addeth, Charles, and the Pope, the Romaines and the Frenche, sweare the one to the other, to keepe a perpetuall amitie, and that those should be enemies to them both, that annoyed the one.

Not longe after, Charles, perceiuing the Churches to be muche molested and drawne into partes, with the Heresie of Foelix, calleth a councell of all the Bishoppes vnder his dominions in Italy, Fraunce, and Germany, to consulte and conclude a truthe, and to bring the Churches to an vnitie therein, as he him selfe affirmeth in his Epistle written to Elepandus Bishop of Tolet, and the other Bishoppes of Spaine: VVee haue commaunded (saith Charles) a synodall councell to be had of deuout Fathers from all the Churches thoroughout our signiouryes, to the ende that with one accorde it might be decreed; what is to be beleued touching the opiniõ wee knowe that you haue brought in with newe assertions, suche as the holy Catholique Church in olde time neuer herde of. Sabellicus also maketh mention of this Synode whiche was conuocated to Frankesforth: ad Caroli dictum: at the commaundement of Charles.

Carolus Magnus, calleth by his commaundement the Bishoppes of Fraunce to a Synode at Arelatum, appointeth the Archebishops of Arelatum and Narbon. to be chiefe there. They declare to the Synode assembled, that Carolus Magnus of feruent zeale and loue towardes Christe, doth vigilantly care to establishe good orders in Goddes Church: and therefore exhorte them in his name, that they diligently instruct the people with godly doctrine, and examples of life. When this Synode had consulted and agreed of

suche matters as they thought fit for that time, They decree that their dooinges should be presented vnto Carolus Magnus, beseeching him, that where any defectes are in their decrees, that he supply the same by his wisdom. Yf any thing be otherwise than well, that he will amende it by his iudgement. And that which is well, that he will ratifie, ayde and assist by his authoritie.

By his commaundement also was an other Synode celebrated at Cabellinum, whereunto he called many Bishops & Abbottes: who as they confesse in the Preface, did consult & collect many matters, thought fit and necessary for that time: the whiche they agreed neuertheles to present vnto Charles to be examined, & by his iudgement to be allowed, & confirmed, amended or disallowed. As this counsell referreth al the Ecclesiastical matters to the iudgement, correction, disallowinge or confirminge, of the Prince: so amongst other matters, this is to be noted, that it prohibiteth the couetousnes, and cauteles wherewith the Cleargy enriched them selues, persuadinge the simple people to geue their landes, and goodes to the Church for their soules health.

Can. 6.

Can. 25.

The Fathers in this Synode complaine, that the ancient Church order of excommunication, doing penance, & reconciliation is quite out of vse: Therfore they agree to craue the Princes order, after what sort, he who doth committe a publique offence, may be punished by publique penance.

Can. 45.

This counsell also enueigheth against, & condemneith gad-dinge on pilgrimage in Church Dynisters, Laye men, great men, & beggers: all whiche abuses (saith the Synode) after what sorte they may be amended, the Princes minde must be knowen.

The same Charles calleth an other counsell at Moguntia. In the beginning of their preface to the council, they salute Charles: the moste Christian Emperour, the authour of true Religion, and mainteinour of Gods holy Church, &c. Shewyng vnto him the they his most humble seruantes are come thither, according to his commaundement: that they geue God thanks: Quia sanctæ Ecclesiæ lux piæ ac deuorum

deuotum in seruitio suo concessit habere rectorē. Because he hath ge- The Prince
 uen vnto his holy Church a gouernour godly, and deuoute in his seruice: is the go-
 uernour of
 who in his times openinge the fountaine of godly wisdom, doth cōti-
 uernour of
 nually feede Christs sheepe, with holy foode, and instructeth thē with the Church
 diuine knowledge, farre passinge thorough his holy wisdom in moste appointed
 deuout endeuour the other kinges of the earth. &c. And after they of God in
 haue appointed in what order, they deuide y^e states in the Ecclesiasti-
 cōsell: the Bishops & secular Priestes by them selues, y^e call causes.
 Abbottes & religious by them selues, & the Lay nobilitie, &
 Iustices by them selues, assigninge due honour to euery
 persone: it followeth in their petition to y^e Prince, They de-
 sire his assistance, ayde and cōfirmation, of suche Articles as they haue
 agreed vppon, so that he iudge them woorthy: beseeching him, to cause
 that to be amended which is founde woorthy of amendement. In like
 sorte did the Synode congregated at Rhemes by Charles,
 more priscorū Imperatorū, as the auncient Emperours were wonte
 to doo, & diuers other, which he in his time called. I would
 haue you to note, besides y^e authozitie of this noble Prince
 Charles y^e great in these Church matters (which was none
 other, but the selfe same, y^e other Princes frō Constantine
 the great had & vsed) that the holy cōsell of Moguntia doth
 acknowledge & confesse, in plaine speech, him to be the ru-
 ler of the Church (in these Ecclesiasticall causes) & further
 that in all these councelles, next to the confession of their
 faith to God, without makinge any mention of the Pope,
 they pray, & commaunde praier to be made for the Prince.

Pope Leo. 3. as the French Chronicles, & Nauclerus wit-
 nessed, sente forth with after he was made Pope Peters
 keyes, the Banner of the Citie, and many other gistes vnto
 Charles: requiring him, y^e he wold cause y^e people of Rome
 to become subiect vnto the Pope, & that by Wth. Charles
 mindinge to gratifie and pleasure Pope Leo (there was a
 cause wherfoze) sente an Abbot on this busines, & assured
 the

Sabell.

Sabell.

Platina.

Sabell.

the people of Rome to the Pope by othe. This Leo (his
 streight dealinges with the Romaynes was so hatefull
 vnto them) was brought shortly into muche daungler of
 his life, but farre moze of his honesty. Certaine of Rome
 came to Charles to accuse this Pope: Charles putteth of
 the examination of the matter till an other time, promi-
 singe that he woulde within a while come to Rome him-
 selfe: whiche he did, after he had finished his warres. He
 was honorably receiued of the Pope. The eight day after
 his cominge into Rome, he commaunded all the people,
 and the Cleargy to be called togeather into S. Peters
 churche: appointing to here and examine the Pope, touch-
 ynge that he was accused of, in the open assembly. When
 the Cleargie and the people, were assembled, the Kinge
 examineth them of the Popes life and conuersacion: and
 the whole company beinge willed to saie their mindes:
 answaie, that the manner hath bene, that the Popes
 shoulde be iudged of no man, but of them selues. Charles
 beinge moued with so soze & greuous an answaie, gaue
 ouer further examination. Leo the Pope (saith Platina)
 who did earnestly desire that kinde of iudgement (to geue
 sentence he meaneth in his owne cause) wente by into the
 pulpit, and holdinge the Gospels in his handes, affirmed
 by his Othe, y he was guiltes of all those matters where-
 with he was charged. Whereunto *Sabellius* addeth, the
 Popes owne testimonie of him selfe, was so waighy, as if it had bene
 geuen on him by other: so muche auaileth a mans owne good reporte
 made of him selfe in due season, for wante of good neighbours.
 This matter, if it were as the Popes flatterers write,
 thus subtilly compassed: although *Martinus* saith flatly, that
 he was druen to purge him selfe of certayne crimes laide
 to his charge: yet not withstanding, the kinge toke vpon
 him, both to examine the matter, & to determine therein:
 and,

and, as appeareth, tooke their answere no lesse insufficent, than greivous: although he winked at it: bicause he looked for a greater pleasure to be shewed him againe in consecratinge him Emperour, promised longe befoze: whiche this Pope perfourmed, and solemly with great acclamations of the people, crowned him Emperour of Rome: For saith the Platina: The Pope did this to shewe some thankesfulnes againe to him, who had well deserved of the Church. Ansegisus Abbas gathereth together the decrees, that this Charles and his sonne Lodouicus had made in their times for the reformation of the Church causes: Amongst other these: The Canonickall Scriptures onely to be redde in the Churches: For the office of Bishops in diligēt preaching, and that onely out of the holy Scriptures: that the communion shoulde be receiued three times in the yeere: The abrogatinge and taking away a great number of holy daies besides sondaies: and that childre before ripe yeeres, should not be thrust into religious houses: And that no man shoulde be professed a Monke, except licence were first asked and obtained of the King. He decreed also, and straightly commanded, that Mōkes being Priestes, should studie diligently, should write rightly, shoulde teache children in their Abbeyes, and in Bishops houses. That Priestes should eschue couetousnes, gloriou, ale houses or tauernes, secular or prophane busines, familiaritie of women vnder paine of deprivation or degradation. He provided to haue, and placed fit pastours for the Bishopricks and cures to feede the people. He ordeined learned scholcmasters for the youth, and made deuout abbottes to rule those that were enclosed in Cloisters, saith Pauclerus. As it is saide of kinge Dauid, y he set in order the Priestes, Leuites, singers & porters, & ordered all the offices & officers required to be in the house of the Lorde, for the setting forth of his seruice and Religion: Euen so this noble Charles leste no officer belonging to Goddes Church, no not so much as the singer, porter or Werten, vnappointed & taught his office & duety, as Pauclerus telleth.

¶

Besides

Ioan. Auē-
tinus.

1. Paral. 16.

Besides the authoritie of this noble Prince in governing
 & directing al Church matters, his zeale & care therfoze (in
 such sort as the knowledge of y^e superstitious time would
 suffer) is plainly shewed in an Injunction, that he gave
 to al estates both of the Layty & Clergie to this effect. I
 Charles, by the grace of God, Kinge and gouernour of the Kingdome of
 Fraunce, a deuout and humble maintainour, and ayder of the Church: To
 al estates both of the Layty and the Clergy, Wth he saluatⁱo in Christ.
 Considering the exceeding goodnes of God towarde vs, and our people,
 I thinke it very necessary wee rendre thanks vnto him, not onely in
 harte and woorde, but also in continuall exercise and practise of well
 doing, to his glory: to the ende that he, who hath hitherto bestowed so
 great honour vpon this kingdome, may vouchsafe to preserue vs and
 our people with his protecti^o. VVherfore it hath seemed good for vs, to
 moue you, o yee pastours of Christes Churches, leaders of his flocke, and
 the bright lightes of the worlde: that yee will trauaile, with vigilant
 care and diligent admonition to guide Goddes people thorough the pa-
 stures of eternall life, &c. Bringinge the stray sheepe into the fouldes
 lest the Wolfe deuoure them, &c. Therefore they are with earnest zeale
 to be admonis hed and exhorted, yea to be cōpelled to keepe them selues
 in a sure faith, and reasonable continuance, within and vnder the rules
 of the Fathers. In the which woork and trauaile know yee right well,
 that our industrie I shall woork with you: For which cause also wee
 haue addressed our messengers vnto you, who with you by our authori-
 tie, shall amende and correct those thinges that are to be amended. And
 therefore also haue wee added such Canonicall constitutions, as seemed
 to vs most necessarie. Let no man iudge this to be praesumpti^o in vs, that
 we take vpon vs to amende, that is amisse, to cut of that is super-
 fluous. For wee reade in the bookes of Kinges, howe the holy Kinge
 Iosias: trauailed, goynge the circuites of his kingdome or visitinge,
 correctinge and admonis henge his people, to reduce the whole kinge-
 dome vnto the true Religion and seruice of God. I speake not this as
 to make my selfe equall to him in holines: but for that wee ought al-
 waies

waies to follow the exāples of the holy kinges: and so much as we can, we are bounde of necessitie, to bring the people to follow vertuous life to the praise and glory of our Lorde Iesus Christ, &c. And anon after amongst the rules that he p̄scribeth vnto them, this followeth: First of al, that all the Bishoppes and Priestes, reade diligently the Catholique Faith, and preache the same to all the people, For this is the first precept of God the Lorde in his Lawe: Heare o Israel, &c. It belongeth to your offices o yee pastours and gydes of Goddes Churches, to sende forth thorough your Diocesses, Priestes to preache vnto the people, and to see that they preache rightly and honestly. That yee doo not suffer newe thinges, nor Canonycall, of their owne minde forged, and not after the holy Scriptures, to be preached vnto the people. Yea, you your owne selues preache profitable, honest and true thinges, whiche doo leade vnto eternall life. And enstrucke you others also that they doo the same. Firſt of all euery preacher muste preache in generall, that they beleue the Father, the sonne, and the holy Ghoste to be an omnipotent God. &c. And so learnedly proceedeth thorough all the articles of our Faith, after whiche he cometh to the conuersacion of life, &c. And wee doo therefore more diligently enioine vnto you this thing, bicause wee knowe, that in the latter daies shall come false teachers, as the Lorde him selfe hath forewarned, and the Apostle Paule to Timothe doth witnes. Therefore beloved let vs furnishe our selues in harte and minde, with the knowledge of the trueth, that wee may be able to withstande the aduersaries to trueth, and that thorough Goddes grace, Goddes woorde may encrease, passe thorough and be multiplied, to the profite of Goddes holy Church, the saluation of our soules, and the glory of the name of our Lorde Iesus Christe. Peace to the preachers, grace to the obedient hearers, and glory to our Lorde Iesus Christe. Amen.

This noble Prince was moued to take vpon him this gouernment in Ecclesiastical matters & causes, not of presumption, but by the worde of God, for the dischardege of his princely duety, as he had learned y same both in the ex-

amples of godly kings comended therfore of the holy ghost,
 & also by the instructions of the best learned teachers of his
 time, wherof he had great store, & especially *Alcuinus* an
 Englishman of greate learninge, who was his chiefe
 Scholemaster and teacher: whome, as *Martinus* telleth,
 Charles made Abbot of *Towers*. Amongst other many &
 notable volumes, this *Alcuinus* writeth one, entituled *De*
Fide Sanctæ & in diuina Trinitatis, whiche as mooste meete
 for him to know, he dedicateth to Charles the Emperour.
 He beginneth his epistle dedicatory, after the salutation &
 superscription, thus: seeinge that the Emperial dignitie ordeined
 of God, seemeth to be exalted for none other thinge, then to gouerne and
 profite the people, Therefore God doth geue vnto the that are choosen to
 that dignitie power and wisdom: Power to suppress the proude, and
 to defende the humble against the euill disposed: wisdom to gouerne
 and teache the subiectes with a godly carefulnes. With these two
 giftes O holy Emperour, Gods fauour hath honoured and exalted you in-
 comparably aboue your auncestours of the same name and authoritie. &c.
 What than? what must your carefulnes most deuoutly dedicated to God
 bringe forth in the time of peace the warres beinge finished, when as
 the people hasteneth to assemble together, at the proclamation of your
 commaundement (he meaneth that he expretheth afterwarde, by
 this assembly or concourse, the councell that was nowe in
 hande assembled, as he saith, *Imperiali præcepto*: by the Em-
 perours precept.) And waiteth attentiuely before the throne of your
 grace, what you will commaunde to euery persone by your authoritie:
 What I say ought you to doo? but to determine with all dignitie iuste
 thinges, whiche beinge satisfied, to set them forth by commaundement,
 and to geue holy admonitions, that euery man may retourne home mery
 and gladd, with the precept of eternall salvation. &c. And least I
 should seeme not to helpe and further your preachinge of the Faith,
 I haue directed and dedicated this booke vnto you, thinkinge no gifte
 so conuenient and worthy to be presented vnto you: seeinge that
 all men

Alcuinus.

all men knowe this moste plainly, that the Prince of the people ought of necessitie to knowe all thinges, and to preache those thinges that please God: neither belongeth it to any man to knowe better or more thinges, than to an Emperour, whose doctrine ought to profit all the subiectes &c. All the faithfull hath great cause to reioyce of your godlines seeing that you haue the priestly power (as it is mete so to bee) in the preaching of the worde of God, perfect knowledge in the Catholique faith, and a most holy deuotion to the saluation of men. This doctrine of *Alcuinus*, whiche no doubt, was the doctrine of all the catholique and learned fathers in that time, confirmeth wel the doings of Charles and other Princes, in calling councelles, in making decrees, in geuing Iniunctions to Ecclesiastical persons, and in ruling and governing them in all Ecclesiasticall thinges and causes. If the gouernement of this most Christian Prince in Ecclesiastical matters be well considered, it shall well appeare, that this Charles the great, whom the Popes doo extolle as another great Constantine, & patron vnto them, (as he was in deede, by enriching the Church with great revenues and riches) was no whit greater for his martial & Prince-like affaires in the politike gouernaunce, than for his godly ordering & disposing the Church causes: although that in some thinges he is to be bozne with, consideringe the blindnes and superstition of the time.

The prince
hath a priestly
power
to set forth
gods word.

Although herein *Lodouicus* Charles his sonne, were somewhat inferiour to his father: Yet not withstanding, he reserved these Ecclesiasticall causes to him selfe, & with no lesse care he ordered the same, although in some things, being a very milde Prince, he winked and bare ouermuch with the ambition of the Popes. Shortly after, whan as the foresaid Leo was departed, was Stephen next elected Pope, and without the confirmation of the Emperour, tooke the Papacy vpon him. All the histories agree, that

he came shortly after into Fraunce to the Emperour, but wherfoze, most of them leaue vncertaine. *Platina* thinketh to auoyde the hurley burley in the Citty that was after the death of *Leo. sabellius* thinketh the Emperours coronation to be the cause. *Nauclerus* saith, he went in his owne person vnto the Emperour *Lodouike* about, or for the Church matters, whiche proueth that the Emperour had chiefe authoritie in ordering the Church busines. But our English Chronicles, as some wryters affirme, doo plainly declare, that his comming into Fraunce was, to make an excuse of his vnlawful consecration, against the decrees made to *Charles* by his predecessours, *Adrian* and *Leo*, fearing therefore the sequelle of the matter, he first sent his Legates besoe him to be a preparatiue to his purgation, and afterwards came him self to craue his pardon. And the rather to please the Emperour, brought a most beautiful crown of gold for him, and an other for the Emperesse: wherof soloweth, as *Nauclerus* saith: *Omnia quæ petiit à pio Imperatore obtinuit, he obtained whatsoever he asked of the goodly Emperour.*

Nowe when *Stephen* had dispatched all his matters, he retourned home: and shortly after, an other Ecclesiastical cause happened, for within a while the Bishop of *Reatina* died, and there was an other chosen. And when the see of *Reatina* (saith *Nauclerus*) was voide, the Pope would not consecrate the elect Bishop, onles he had first licence therto of the Emperour. The circumstances of this stozy, make the matter moze plaine. The erle *Guido*, had wryten vnto Pope *Stephen* to consecrate that Bishop, whom the Clergy and the people had elect: but the Pope durst not enterprize the matter, till he were certified of the Emperours pleasure, & therupon wryteth again vnto the erle, the tenour wherof soloweth, after *Gratianus* repozte: *I haue recd your letters, wherein you require me to consecrate the newly elect Bishop of Reatin, chosen by the consent of the*

of the Clergie and people, least the Church should be long destitute of a propre pastour? I am sorry for the death of the other: but I haue deferred the consecration of this, for that he brought not with him, the Emperours licence (vt mos est) as the maner is. I haue not satisfied your minde herein, least that the Emperour should be displeased at my doing. Therefore I require you (for other wise I ought not to medle) to purchase the Emperours licence directed vnto me by his letters, vt prisca consuetudo dictat, as the auncient custome doth will, and then I will accomplish your desire. I pray you take not this my doing in euill parte. Wherof it is manifest inough (saith Nauclerus) that of the Emperours at that time, the Bishops had their inuestitures: although Antiodoth glosseth otherwise, saynge that perhaps, this electe Bishoppe was belonging to the Court, who ought not to be ordered. Not only the textes of many decrees in this distinctiō, doth confirme this to be true, but also Gratian himselfe, and the glossars, do in many places affirme, that this was the auncient custome, and constitucion in the Church, that the elections of the Bishops of Rome, and of other Bishops also, should be presented to the Emperours and Princes, before they might be consecrated. Dist. 63.

Immediatly after the death of Stephen Paschalis. 1. was chosen Pope: He being encouraged, by al likelihood, by his predecessours like entrance, thinking to entreate the Emperour so easely as Stephen had done. And boldened with a late made Canon by Stephen, suffered him self to be enstalled, & consecrate without the Emperours inuesturing, leaue & authoritie: neuertheles being better aduised, (misstrusting his presumptuous & disobedient fact wolde displease the Emperour, as it did in dede) he sent by & by his Legates to the Emperour to excuse him self, & layeth all the fault on the people & Clergy. The Emperour accepting this excuse for that time warneth the people and Clergy of Rome, that they take good hede, that they do no more offende against his maiestie, but that hereafter they do warily obserue and kepe the old orders and constitutions. He calleth this attempt plain treason.

Platina.
Sabel.

This Emperour called a council at Frankfort, he be-
 stowed

Nauclerus.

flowed Spiritual promotions, and instituted his brother Drogo, the chiefe mynister or Bishop at Mettes.

In the meane whyle dieth Pope Paschalis, next to whom folowed Eugenius, but elected not without contention, and liued but a while: after whom succeeded Valerinus, who liued in the papacy but fourty days. Next vnto him was chosen Gregoꝝ the fourth, who was of so great modestie, saith Platina, that being elected Pope of the Clergy, and people of Rome, he would not take vpon him the office, before he had his confirmation of the Emperours Embassadors, whom the Emperour had sent to Rome for that purpose, and to examen diligently that election. And Loduicus the Emperour did this not of pride, but that he would not lose the priuileges and rightes of the Empire. Note all these thinges well, the Pope on the one part, whā he was chosen without any contention, yet would he not be consecrate without the Emperours confirmation: otherwise he thought it an vnmodest part. The Emperour on the other side, not onely sendeth his Embassadors to confirme, but or ener they confirme him, to examyn and diligently to discusse, after what sorte he came in, and whether he were elected lawfully or no. And this he did, not of a pryde (saye they) muche lesse of any vsurpation, but bicause he would not lose or diminishe the right herein, that belonged to the Emperiall maiestie. Here say they, he did it of purpose, bicause he would not lose his right, and not his onely, but the right of the Empire. But least it should seeme he did tyrannously herein, and oppzessed the Church, or enfringed her libertties, it foloweth, all most woꝛde for woꝛde in both these wꝛiters, Platina, and Nauclerus. For he was a milde, merciful, and most gentle Prince of nature, and one that did alwayes mainteine the right and dignitie of the Church. Loo howe great clemency this is compted in him, and the defence of the dignitties and rightes of the Church: the whiche after

wardes, and nowe of the Popes, is compted the greatest tyranney and oppression of the Church that can be. But further to approue this dedde of Lodouike, the foresayde authours recite many Canons, decrees, & constitutions, that this Emperour made in Ecclesiasticall causes and thinges: and especially for the reformation of the disordered behauiours of the Bishoppes and Clergie. In so muche that Platina comparinge the dissolutenesse of the Churchmen in his time, crieth out: *Woulde God (O Lodouike) thou were alieue in these our times, for nowe the Church wanteth thy moste holy ordinaunces, and thy discipline.* The selfe same Lodouicus (saith Platina) called a councell of many Bishoppes at Aquisgrane, to Goddes honour, and the profite of the Church dignitie. The Brelates in the pzeface to this Synode, doo declare, what was the care & authozitie of the Godly Emperour, in this Synode. They affirme that the moste Christian Emperour, had called an holy and general congregation or Councell at Aquisgrane: He beganne therein thozoughly to handle the mater, with wisdom boide of curiositie: He counsailed, yea warned the holie Synode assembled, what was needefull to be done, touching certaine chiefe ministers of the Churches: He warned them further, to drawe out of the Holie Canons, and the saynges of the holie Fathers, a fourme of institution for the simple sorte of Ministers, whereby they might more easilie learne to walke in theyr duties without offence. *The synode geueth God thanks, that he had preferred so holie, wise, and deuout a Prince to haue the chardge, and ouersight of his Church, and the Churches needefull businesse or matters.* The Synode, accozdinge to the kinges aduertisement, furthered also with his helpe or therwise, collecteth a fourme of Institution, wherein is contained at large, after what sorte the Brelates oughte to frame their liues, rule, or governe the people commit-

ted to their cures, &c. This done, they bzing to the Prince their fourme of institution, whiche they had deuised.

This Emperour called an other Councel at *Ticinum* in Italy for the causes hereafter expessed. The matters or causes which the honozable Emperour *Lodowicus* did commaunde his Bishoppes to consider of, are these: touching the state of his kingedome: of the conuersation of the Bishoppes, Prelstes, and other Churchmen: of the doctrine and preachinge to the people: of writinge out of Bookes: of restoring of Churches: of ordering the people, and hospitallles for strangers: of Monasteries both for men and women. What so euer is out of order in these so enamed states, eyther thorough the negligēce of the guides, or the slouthfulnesse of the inferiours, I am (saide he) verie muche desirous to knowe, and I coueite to amende or reforme them, according to Goddes will, and your holy aduise, in suche sorte, that neither I be founde reproveable in Goddes sight, neither you nor the people incurre Goddes wrathfull indignation for these thinges, howe this may be searched, founde out, and brought to perfection, that I committe to be entreated by you, and so to be declared vnto me. The lesser matters also, whiche in generall touche all, but in especiall, some, and neede reformation: I will that yee make enquirie of them, and make relation vnto me thereof: as for example if the rulers in the countreys neglect, or sell Iustice, if they be takers or oppressours of the Churches, widowes, orphanes, or of the poore. Yf they come to the sermons. Yf they doo reuerence and obey duely their Priestles. Yf they presume to take in hande any new opinions or argumentes that may hurt the people. &c. The Bishoppes after they had consulted vpon these matters, doo make relation vnto the Emperour, what they had done: shewynge him, that they had founde some of the Bishoppes and chiefe Mynistres faulty, and humbly pray the Emperour on their behalfe, that he will of his goodnes graunt those, some space to amende their faulces.

They

They complaine to the Emperour of Bishops & Priestes, for lacke of preaching, and that noble men & gentle men, come not vnto those few sermons that bee. And so then recyte many other enormities, as about tythes, incest, and suche like, especially in religious persones, who for the most parte are cleane out of order. And to bringe these to their former order and state, *resteth*, (say they) *in your disposition*. Thus doth this Kinge take vpon him, and thus do the Bishoppes yeelde vnto him the gouernment, as well of Ecclesiasticall as Tempozall causes and thinges. On this wise did Lodouicus alwaies exercise him selfe: in so muche that for his carefull gouernment in Church matters, he was surnamed *Pius, the godly*, as his father before him, was called *Magnus, the great*.

Pope Leo. 4. writeth his humble letters vnto Lotharius on the behalfe of one Colonus, who was chosen to be Bishop of Reatina, but he might not consecrate him without the Emperours licence first obtained thereunto, and therfore praiseth the Emperour of his fauour towarde Colonus: *Vi vestra licentia accepta, ibidem, Deo adiuuante, eum consecrare valeamus Episcopum*: That hauinge your licence, wee may haue authoritie by Goddes helpe to consecrate him Bishoppe there. Vpon this worde, *Licence*, The Glossar noteth, the consente of the Prince to be required after the election be made. Nexte to Leo, sauinge the woman Pope Iohan, was *Benedictus. 3.* chosen, who was ratified and confirmed by the Emperours authoritie: who sente his Embassadors to Rome for that purpose. This Pope is commended for his greate godlines: But he was ouer godly to liue longe in that sea: neuerthelesse he was not so godly as the moste of his successors were al together vngodly, as your owne writers make reporte. And to note this chaunge the better; Paucerus telleth of diuerse wonders: howe the

Dist. 63.

Sabell.
Platina.

Apoc. 9.

Devill appeared in an ugly shape, and hurled stones at men as they went by: set men together by the ears: bewailed thaircs, and priestes of their lemmans, and such like: How it rained bloude thre daies, and thre nightes: How great Grasshoppers with fire wynges, and fire scete, and two teethe harder then any stone, covered the ground, and destroyed the fruites: not altogether unlike those Grasshoppers, that S. John noteth in his Revelation, to come from the bottomlesse pitte, after the starre was fallen. After this folowed a great pestilence: Whiche woonders, if they be true be not unworthy the notinge, consideringe the chaunge that folowed. For hitherto still from time to time, although some Popes did priuily attempte the contrarve, yet the Emperours alwaies kepte the confirmation of the Pope, the inuesturinge of Bishoppes, and the orderinge of many other Ecclesiasticall matters, tyll the next Pope beganne openly to repine at the matter, and his successor after him to Curse, and some of those that folowed, fell from chidinge and cursinge, to plaine fightinge for the same. In the whiche combate, though with much adoe, at length they woonge them selues from vnder the Emperours obedience: Yet alwaies even hitherto, Princes haue had no litle interest in Ecclesiasticall causes, as hereafter shall appere.

After *Benedictus*, was *Nicolas* chosen, whom the Emperour him selfe beyng present, did confirme, as witnesseth *Pauclerus*: At the same time, was the Emperour *Lodouicus. 2.* at Rome, who confirmed the Popes election. The same also saith *Martyn*, to the whiche *Volateran* addeth of the Emperour & the Pope: *De communi consilio ambo cuncta gerebat.* All thinges were done by common counsaile or consene of both, the Emperour and the Pope. And last it might be thought he mea

he meaneth not as wel Ecclesiastical as Temporal matters: *sabellicus* maketh the matter moze plaine, affirming that the Emperour and the Pope had secrete conference together many daies, and had consultation both touching the matters pertaining to Christian Religion, and also of the state of Italy. And a litle after talking of the Pope: The Pope decreed by the consent of *Lodouicus*, that from thencefoorth, no Prince, no not the Emperour him selfe, should be present in the counsell with the cleargie, onles it were when the principall pointes of faith were treated of. Witherto in all these Ecclesiastical causes, the Emperour hath the doinge, as well or moze than the Pope. But this last decree, that by the allowāce of the Emperour, the Pope made, exempteth Temporal Princes from Ecclesiastical matters in their councelles, though in the most principall matters Ecclesiastical, concerning faith, it leueth to them their interestes.

Martinus the second, gat into the *Papacie malis artibus*, by naughty meanes saith *Platina*, and as is noted in the margin, it was in this Popes time, that first of all the creation of the Popes was made without the Emperours authoritie: But this Pope died so shortly, as he came in naughtily. After whom *Adria* the third, like vnto his predecessor, the second of that name (who by rūning sleight practised to defraude the Emperour of his authoritie) espying oportunitie, by reason, that Charles the Emperour, as *sabellicus* saith, was farre of, busied in the warres, doth promote this matter to be decreed by the Senate and the people, and this he did immediatly after he was made Bishop, and perswadeth them, that they doo not hereafter wayte for the Emperours approbation, and confirmatiō, in appointing their Bishop, but that they shoulde kepe to them selues, their own fredome. The whiche thinge also *Nikolaus* the firste, with others attempted, but coulde not

bringe it to passe, as *Platina* reporteth. Who also wryteth, that the Romaines had conceived an hope of great libertie in the haughty courage of this Pope, beinge a Romaine bozne. But to their great grieve, he within a while was taken from them.

The next Pope Stephen had an obscure tyme, sauing that Charles therein called a councell at Collen, and after him *Arnulphus* the Emperour, other twoo: the one at *Moguntia*, the other at *Triburum*. Of these Popes and those that followed, as *Formosus*, *Stephanus*, *Romanus*, *Benedictus*, *Leo*, *Christophorus*, *Sergius*, and a great company moe, the *Historians* geue but an homely testimonie, and *Naucerus* saith, that to satisfie their voluptuous lustes, they dyd maliciously malice one another, as most cruel Tyrantes, and he added this reason. Cum non extarent qui eorum vitia coercerent, because there was none to correcte and chasten them for their euill doinges. For so long as the Princes exercised their authoritie in ouerseeing carefully the Church matters, and the mynisters, so well the Popes, as other Bishoppes, there grew no suche intollerable disorders, neither were there suche monsters, (for so *Naucerus* termeth these Popes) that continued any space: But were by the Princes authoritie suppressed, and therefore *Naucerus* citeth out of *Platina*, and affirmeth it to be true, that the cause of these monstrous Rebelles in the Church was: Quod Resp. ignauos & desidēs principes habeat. Because the common wealth had improfitable and slouthfull Princes. Thus these wryters burdeine and charge the Princes with the disorders and enozmities in Christs Church, wherein they doo them wronge, if they thought not, that it appertained to the Princely authoritie to ouersee, care, and prouide for the good order of Christs Church: and to rebelle, punishe, and remoue the inordinate euilles therein.

therein. *¶* *Sabellicus* so wondereth at these tragicall examples of the Bishoppes of this time, and their horrible obliuion of Godly Religion, that he ascribeth the good and godly moderation that was in the Bishops, and the dutifull execution of their office, from Charles the great, till the ende of the Frenche Empire, whiche was an whole age: to be not so muche of them selues, and their owne good wills, as of the awe and feare they had of the Princes, kinges, and Emperours, who were their guardians. And therfore concludeth, that it may be truly said, that this was the calamitie of Fraunce, Italy, and of the Church of Rome: *Quod in ea gente defitum esset imperari: because there was no king nor Emperour to beare rule,* meaning that although there were kinges and Emperours, yea did they not execute their Princely office and authoritie, in ouerseeing, correcting and refozming the Church matters, and her mynisters, and therfore the state was miserable. In this confusion were al thinges, but especially in the Church of Rome, till God stirred by the wyse and mighty Prince *Orho* the first, whose zeale, stoutnes & traynaye in refozming Religion and the disordzed Church, no tongue is able to expresse, saith *Naclerus*.

At this time was *John. 13. Pope*, a man replete & lode with all dishonestie and villany, against whom twoo of the chiefest amogest the Clergie (the one was a Cardinall saith *Luithpradus*, the other, maister of the Rolles) made complaint vnto *Orho*, most humbly beseeching him, to haue some compassion on the Church, which if it were not speedely refozmed, must needs come to bitter decay. After whō came the B. of *Millain*, & so one after another a great many mo, making the same sute vnto *Orho*: who being moued of his owne zeale to gods glory, but now enflamed by lamentable supplications of these Bishops, *Rex piissimus*, saith *Luithp.*

Sabellicus,
Platina,
Naclerus.

non

non quæ sua sunt; sed quæ Iesu Christi cogitans: The
 moste religious king hauing carefull cogitations, not for his owne
 thinges, but for Iesus Christes matters, addrested him selfe with
 all conuenient speede into Italy, to resourne Rome from
 whence all the mischiete sprange. When the Pope vn-
 derstoode of his comming, he prepared to receiue him in
 most honozable wise, and with suche humilitie behaued
 him selfe towards the Emperour, and shewed such saire
 face of repentaunce, that the well meaning Emperour,
 thought he had meant as he pretended, sware the Pope to
 obedience and loyaltye against Berēgarius and Adalbertus, as
 Luithprandus writeth, and so returned into his countrey.
 This Luithprand is the moze to be credited, for that he was
 liuing a famous writer, and Deacon Cardinall, even in
 the same time. The Pope immediatly against both othe,
 and honestie, practised with Adalbertus, to depose this godly
 Emperour, and promised him by othe his aide. The reason
 or cause why Iohn the Pope should hate this most Godly Emperour, who
 had deliuered him out of the handes of Adalbert his enemy, and wher-
 fore the Deuil should hate God his creatour, semeth not to be vnlike. For
 the Emperour, as we haue had good experience, vnderstandeth thinges
 pertaining to God, he worketh, he loueth them; he mainteineth with
 maine and might the Ecclesiasticall and Temporall matters, he decketh
 them with manners, and amendeth them by Lawes: but Iohn the Pope
 is against all these thinges. The Emperour seeketh by diuerse
 waies to reconcile this Pope, and to bring him from his
 filthy life, to some honestie, & regarde of his office. When
 by no persuations he can winne him, he determineth to
 depose him, and for that purpose, he calleth a councell of
 the Bishops of Italy, to the ende he may seeke the refoz-
 mation, whiche he mindeth, and saue to be ouermuche
 needefull, by their aduise.
 Pope Iohn seying him selfe to be tried by a Synode,
 runneth

Luithprād.

runneth away, when all the people sawe their Pope was runne away from them, they sware fidelitie to the Emperour, promisinge by their Othes, that they woulde neuer hereafter elect or make any Pope without the consent of y^e Emperour. Within thre days after there was a great assembly in S. Peters Church at the requestes of the Bishoppes and people: In whiche councell sat the Emperour with many Archebishops and others: to whome the godly Emperour propoundeth the cause of their assembly, exhorteth them to doe all things with byright iudgement: and the Bishoppes, Deacons, Cleargy, and all the people make solempne protestation, and obtestation of their iust and byright dealing in the cause propounded. And bicause the chiefe matter touched the Pope that was rûne away: the holy Synode saide, if it seme so good to the godly Emperour, let letters be sente to the Pope, and cyte him to come and purge him selfe: the Letters were directed in this fourme: *Orho by Goddes grace Emperour, with the Archbishops of Liguria, Tuscia, Saxonia, and Fraunce, sende greeting in the Lorde to Iohn the Pope: wee comminge to Rome for our service to God, and enquiringe the cause of your absence from your churche, were enfourmed by the Bishops, Cardinales, Priestes, Deacons, and the whole people of suche shamefull dooinges by you, as wee are ashamed to rehearse: whereof these are parte they chardge you with: Murder, perjury, sacrilege, incest with & waine of your owne sisters: that in your banquettes (which is horrible to be rehersed) yee drinke wine in the loue of the Deuill: in your play at dice, you craue the helpe of Iupiter, Venus, and other Deuilles: wherefore wee pray you to repaier vnto vs your selfe. To this the Pope writeth this answere. I here say yee will make another Pope, whiche if yee attempt, I excommunicate you all: that yee may haue no licence or power to order any, &c. To this short answere the Emperour with the Synode replieth, tellinge him they had writen, to let him vnder-*

stande

S

stande

stande of the crimes wherewith he was charged, and that he had sent them suche an answere as rather became the folie of a childe, then the grauitie of a Bishop: as for the power of bindinge and losinge, they say, he once had as Judas had, to whome it was saide *Quaecunque ligaueritis super terram, & c.* *VVhat so euer yee binde on earth, shalbe bounde in Heauen, & c.* But now he hath no more power against the Emperour and the Synode, then Judas had when he went about to betray Chyste his maister. These letters were sente vnto him by twoo Cardinales, who returned, not findinge him: and therefore the Synode proceedeth to his Deposition: They beseech the Emperour to remoue *Monstrum illud, That Monster*, and to place some worthy Bishop in his roome. Tunc Imperator, placet inquit, quod dicitis: *Your request pleaseth me, saith The Emperour.* The Clergie and the people (saith *Naclerus*) dooth make humble supplication vnto the Emperour, to prouide for them a worthy Bishoppe: to whom the Emperour answereth: *Choose you your selues one, whom, hauinge God before your eyes, yee maie iudge woorthy, and I wil confirme him:* The Emperour had no sooner spoken this (saith *Luithpr*) than they all with one assent named *Leo*: The Emperour gaue his consent: *Et Ortho Imperator, Leonem creat Pontificem, And Ottho the Emperour created Leo Pope (as sabellicus & Platina saith).* Here *Luithprandus* telleth at large, how after this creation of *Leo*, the Emperour dissolued the Synode, & what mischiefe & monstrous Pope John wrought afterwarde. For by his frændes in Rome, Pope *Leo* was dyluen away. And after this monster was dead, the Romanes elected *Benedictus* in his place, & requirerth the Emperour who was than at *Spolet*, to confirme him: the Emperour woulde not, but compelled them to reelect *Leo* againe. And here the Emperour summoned againe a newe Synode,

Synode, wherein he sat him selfe, for the canonically deposition of *Benedictus*. notwithstanding this, saith *Naclerus*, *Leo* being weary of the inconstancy of the *Romaines*, did constitute by their consent in the Synode holden at *Rome*, that the whole authoritie of choosing the Bishop, should remaine in the Emperour, as it is rehearsed in the decrees in these wordes; Being in the Synode at *Rome* in the Church of the holy Saviour: like as *Adrianus* Bishop of *Rome* graunted to *Charles* the great, the dignitie of patricianship, the ordering of the Apostolical see, and the inuesting of Bishops: so I also *Leo* Bishop of *Rome*, seruant of Goddes seruantes, with the consent of all the Cleargy and people of *Rome*, doo constitute, confirme, and corroborate, and by our Apostolical authoritie, wee doo graunt and geue vnto the Lord *Otho*, the first King of Dutchmen, and to his successours in this kingdome of *Italy* for euer, the autoritie to elect after vs, and to ordeine the Bishop of *Rome*: and so Archbishops, and Bishops, that they receiue of him, as they ought the inuesting, and consecration: excepting those, whom the Emperour hath graunted to the Popes and Archbishops: And that noman hereafter of what dignitie or Religion soeuer, haue power to elect one, to the dignity of consules Bloud, or to be Bishop of the Appostolique see, or to make any other Bishop, without the Emperours consent. And if any be chosen Bishop, without he be commended, and inuested by the King, that in no wise he be consecrated, vnder paine of excommunication. As *Isabellicus* noteth this for a renowned matter, y the right of creatinge the Pope, was now rethored to the Imperial dignitie: euen so *Naclerus* affirmeth, this godly Emperour *Otho*, to be bozne In totius Ecclesie consolationem, for the consolation of the whole Church.

Dist. 63.

When this godly Prince was dead, whilst his sonne *Otho 2* was busied in the warres against the *Sarazens*: and after him his Sonne *Otho 3*, was yet in noneage, the Popes beganne to waxe so euill, and the state of *Christs* Church to decaye as muche as euer it did before: So

Nauclerus.

Abb. Vrsp.

Platina.

daungerous a mater it is, to want godly Princes to gouerne Goddes Church, and to ouerse the Mynistres thereof. About this time Hugh Capet the French king, looked better to his Cleargie in Fraunce, and callinge a Councell at Rheims of all the Prelates of Fraunce, deposed Arnusphus, whome Charles had made Bishop there, and made Gilbert the Philosopher Bishcpe, whome afterwarde Otto. 3. made Archebischoppe of Rauenna. After Hugh, Robert his sonne succeeded, a Prince very wel learned, and a diligent labourer about diuine or Church matters, whiche is the prope parte of a righte kinge, saith the Sabellicus. When Otto 3. (surnamed for his excellent vertues in that vittious age, Mirabilia mundi, the maruailes of the worlde) herde of the great misorder in Rome, for the reformation therof he came into Italy: but or euer he entred into Rome, Pope John 17. died, and there fell no contention (saith Nauclerus) in the Popes Election, because the Prince appointed by his commaundement, Bruno to be pronounced Pope, who was called Gregory. 5. So sone as the Emperour departed from Italy, the Romaines thrust out Gregory, and placed one Placentinus, whome they call John. 18. The Emperour hearinge hereof, came to Rome, hanged by the Consul, and put out Johns eyes, & restored Gregory into his sea againe. I maruaile that the historians, (saith the Platina) doe reken this Iohn amongst the Popes, which undoubtedly was in his Papacy a theefe, and a robber, for he entred not in by the doore, as of right he shoulde haue doone, for he came in by a faction, corruptinge with money and large giftes Crescentius the Consul, a most couctous wretch, and no lesse ambitious. Wherby, the sharpe iudgement of the Emperour, is declared to be but vpight iustice. So that Platina makinge Gregory to be the true Pope, and to haue entred in by the doore, of whome he saith, Ottonis 3. autoritate pontifex creatur, he is created Pope by the Emperours authoritie, & declaring the other that

that came in without y^e Emperours consent to be a theefe & a robber: seemeth to be of this opinion (although to flatter the Popes withall, he durste not so plainly open his minde) y^e without the Pope be creat with the Emperours confirmation & authoritie, he is but a theefe and a robber.

Next vnto him, saith Naclerus, was syluester the second placed, by the Emperours appointment. Who being a Coniurer, had solde his soule to the Deuill for this promotion. Nevertheless, he was, saith he, so witty, so learned, and seemed so holy, that he not onely deceiued the Emperour that made him Pope, but all the worlde besides. In which Orho the Emperour remaining at Rome, did deliberate after what sort, and by what meanes he might refozme, not onely the Empire, but also handling Ecclesiasticall matters, howe he might reforme the Lawes of the Church, and bring them into the auncient estate. Suche was the carefull trauell of the Godly Princes, in gouerning not onely in Tempozall, but also in Ecclesiasticall thinges and causes.

Benedictus the ninth, solde the Papacy to Gregory the first. syluester the thirde, thrust in amongst them by frendship and bribery. To this case was the Papacy brought nowe (saith Platina) that onely be that was most mighty in ambition and bribery, obtained this dignitie: there was no roume for good men. Henricus the thirde, surnamed Pius, came to Rome to thrust out these three monstres, saith sabellicus, and to bring this to passe in better order, he calleth a Synode, whereto he deposeth these three monstrous beastes, and dooth create Clement the second. The whiche doon, he sweareth the Romaines, that they shall neuer after be present at the election of any Pope, onles they be compelled therunto by the Emperour. But after the Emperours departure from the cite: Stephan perceiuing the people to grudge somewhat at Clementes election, despatched him out of the the way with a medicine for a Pope. Ven-

Sabell.

Platina.

Abb. Vrsp.

Sabellicus.

nenum illi miscuit, he poisoned him (saith Sabellicus,) and
 immediatly after his death, entruded him self into the Papacy, without
 consent, either of the Emperour, people or priest, and called him self Da-
 masus. 2. But with in a while he died also. In y meane time
 the Romaines sent to the Emperour, beseeching him to ap-
 pointe them some good man to be their Bisshop. who made Bruno
 Pope, and was named Leo 9. After this Leo, whom Hilde-
 bzand ridde out of the way, saith Benno Cardinalis, was Vi-
 ctor the seconde made Pope, by the Emperours authoritie or pri-
 uilege. Shortly after, this Godly Emperour died beinge
 greatly praised, & surnamed, Pius Henricus, for his dealinge
 in the refozation of Church matters. This Emperour
 had called two counells, the one at Constance, wherin he
 was him self present, & after y another at Moguntia, wherin
 both the Emperour & the Pope, sat in Synod. This Pope
 saith Naclerus, came into Germany about the church mat-
 ters, and ordered al thinges therin, (saith Abbas Vspurg.) by
 the aduise and counsaile of the Emperour and other seculer Princes, and
 the Bisshoppes. And as this Emperour had yeat this interest
 in the counelles, and in the creatiō of the Pope him self,
 so had he the placing and displacing, allowing & disallow-
 ing, in other spiritual promotions, as at large appeareth
 in Naclerus. Stephen 9. was chosen Pope after that victor
 had ozonken of Hildebrandes cuppe. But this Stephen li-
 ued not long: for saith Benno, If any other than Hildebrand were
 chosen Pope, Gerardus Braxutus, Hildebrandes familiar friend would
 soone dispatche him out of the way with poison. Alexander 2. was
 chosen without the Emperours authoritie or knowledge,
 with whose election the whole Clergy of Lombardy was
 muche offended, & refused to owe vnto him any obedience,
 beseeching the Emperour that he would geue them licence
 to chose one of their owne: perswading him that there ought
 none to be electe without the consent of the king of Italy. After
 they

they had licence, they chose Cadolus the Bishop of Parma, whom all the Clergy of Lombardy obeyed as their lawfull Pope. The Cardinals (saith Benno) knowing well Hildebrandes ambition, did winne with much sure the Emperours fauour and aide to their newe elected Pope Cadolus: the which did so deeply perce the harte of Hildebrande, that he became a deadly enemy to the Emperour for euer after, contrary to the faithfull dutie that he had sworne vnto him. Hard holde there was betwixt these two Popes, so wel with strokes as with woordes: they bothe gathered great armies, and with their armies came into the felde in their owne persones, and fought twoo cruell and bloudy battalles, and so ruled the Schismaticall Church with Pauls swoorde, Peters keyes, beinge fast locked from them bothe in Christs Church: til the Emperour sent Otto the Archebishop of Collein, geuing him full authoritie, as he should see cause, to set in order the Church matters. When Otto came to Rome with this large commission, he did sharply reprove Alexander at the firste, because he had taken vpon him the Papacy without the Emperours commandement, and contrary to that order, whiche the Lawe it selfe and the longe custome also hath prescribed. Whose wordes Paulclerus telleth thus: How commeth this to passe (saith he) my brother Alexander, that contrary to the maner of olde time hitherto obserued, and against the law prescribed to the Romain Bishops many yeres agoo, thou hast taken vpon thee the Romain Papacy without the commandement of the king, and my Lorde Henry: and so beginning from Charles the great, he nameth many Princes, by whose authoritie the Popes were either chosen, confirmed, or had their electiō ratified: & when he was going forward in his oration, Hildebrand Archdeacon taketh y tale out of his mouth, sayng in great heat: O Archebishop Otto, the Emperours and kinges, had neuer any right at al, or rule in the electiō of the Romain Bishops, Archdeacon gaue place

Platina

Sabel.

place to Maister Archdeacon by and by: For Hildebrand knewe well inough, saith sabellicus, that Otto would relent easely, and agree with him. In suche sorte also haue other godly Princes been beguyled, trustinge ouermuche popish Prelates with their embassages. Within a while after, whan the Emperour heard of these doinges, he sent streight to Pope Alexander, to gather together the Prelates, promising that he him selfe would come to the council: to set an order in the Church matters, that all thinges might be doon in his owne presence. who vsed Alexander very gently & friendly, wherwith the Pope after wardes was so moued, and saw how he him selfe had been abused by Hildebrands instigations against so gentle a Prince, & he was greatly sorry, that he had attempted to be Pope without his assent. Whereupon saith Benno, whan Alexander vnderstoode, that he was elected and enstalled by fraude and craft of Hildebrande, and tother the Emperours enemies, in his sermone to the people, he plainly declared, that he would not sit in the Apostolike see, without the licence and fauour of the Emperour: and further said openly in the pulpit, that he would sende forth with his letters vnto the Emperour for this purpose, so greatly he repented him of his vsurpation without the Emperours authoritie.

Hildebrande, who had long awaited and practised to be Pope, impatient of any longer tariaunce, immediably after the death of Alexander, gatte to be made Pope, & was called Gregoꝝ the seventh, of whose election Abbas vrsburgens. saith: next to Alexander succeeded Hildebrande, vnder whom the Romain comon weale and the whole Church, was endaugered and brought in a great peril with new errors and schismes, such as haue not been heard of: who climbed vp to this high dignitie without the consent of the Prince, and therefore there be that affirme him to haue vsurped the Papacy, by tyranny, and not Canonically instituted, for whiche cause also many did refuse him to be Pope. In this election,
Hildebrand

Hildebrande made poste haste, for feare he had come shorte of his purpose. In so much that Nauclerus saith, befoze the exequies of Alexander were finished, the Cleargy and people that came to the buriall, cried out, that S. Peter had chosen Maister Archedeacon Hildebrande to be Pope, whereupon the Cardinales went a side and elected Hildebrande. But Berno, who was a Cardinall at Rome the same time, saith, that the selfe same eueninge and hower, when Alexander died, Hildebrande was enstalled by his souldiours, without the assent of either Priest or people: fearing least delay would breed perill: to whose election not one of the Cardinales did subscribe: in so much that Hildebrande saide to an Abbot, that came shor to the election, brother Abbot yee have taried ouer longe: to whome the Abbot answered, and thou Hildebrande hast made ouer much haste, in that thou hast vsurped the Apostolique see against the Canons, thy Maister the Pope beinge not yet buried. By whiche poste haste, importune clamours, and violent election, it is easie to see, how *platina* and those that followe him, doe no lesse lie than flatter in prayse this Pope, and settinge forth so comely a fourme of his election. Nauclerus, protesteth and promiseth in the tellinge of this Popes life to keepe an indifferencie and fidelitie, in the report of the Chroniclers: a firste reporteth the state of y^e Church vnder this Pope worde for worde as I haue reherseed out of *Abbas vrsburg.* and to declare his further vprightness in the mater, he telleth what he founde written in a fine stile amongst the Saxon histories: that the Bishoppes of Fraunce moued the Prince not to suffer this election, whiche was made without his consent, for if he did, it might worke to him muche and greuous daungier: the Prince perceiuinge this suggestion to be true, sent immediately his Embassadors to Rome, to de-

Nauclerus.

maunde the cause wherefoze they presumed without the Kinges licence, against the custome of their auncestours, to ordeine a Pope : and further to commaunde the newe electe Pope, to forsake that dignitie vnlawfully come by, onlesse they woulde make a reasonable satisfaction. These Embassadours were honozably receiued, and when they had declared their message, the Pope himselfe, maketh them this answere : He taketh God to witnesse, that he neuer coueted this high dignitie, but that he was chosen, and thrust violently thereunto by the Romaines, who would not suffer him in any wise to refuse it : nor withstandinge they could by no meanes perswade him, to take the Papacie vpon him, and to be consecrate Pope, till he were surely certified, that bothe the kinge and also the Princes of Germanie, had geuen their assente. When the kinge was certified of this answere, he was contente and willingly gaue commaundement, that he shoulde be ordered Pope. He also rectifieth out of Blondus, and other wryters, That the Kinge gaue his consente vnto the Popes election, sending the Bisshoppe of Verselles, the Chauncellour of Italy, to confirme the election by his authoritie, as the maner had beene, the whiche thinge also, Platina (saith he) seemeth to affirme.

Auentinus.

Afterwardes the Emperour called a Councel, which he helde (as Sabellicus saith) at Wormes, whereat were all the Bishoppes of Fraunce and Germany, excepte the Saxons. The churchmen of Rome sent their epistles, with greuous coplaints against Hildebrand vnto this coucel : In quibus Hildebrandum ambitus & periurij accersunt, eundemq; plerumq; auarè, superbèq; facere, conqueruntur : hocq; reiecto, alium pastorem postulant : wherein they accuse Hildebrande, of ambition and periury, complaininge that he dooth many thinges proudly and couetously, and therefore desire, that he may be deposed, and another pastour appointed them.

The Fathers in this Councell make a Decree for to depose

depose Hildebrande, reciting therein many his greivous and horrible crimes, that moued them therto: And not only by the Bysshops of Germany and Fraunce, but also the Bissoppes of Italy, assembled together at Ticinum, a citie in Lombardy now called Pavia, did subscribe this Decree. This Synode beyng thus finished, the Emperour (saith Auentinus) wrote two letters, the one to Hildebrand, the other to the people and priests of Rome, wherein he commaundeth Hildebrande, according to the Decree of y^e Councell, to retourne to his private life and estate, and the Romaines to forsake Hildebrande, and to choose to them selues a Pastor, according to the manner of their auncestours. Who so listeth to reade these epistles, and the seditious, traitterous, and tragicall feates and practises of the Pope against the Emperour, bothe before, and especially after this Decree, he may see them in Orthwinus Gratius, in Naclerus, Auentinus, Sabellicus, and Platina.

Henry the. 5. came into Italy to ende the controuersy and discorde, that was betwixte him and the Pope, for this iurisdiction, and to make suche composition as might bringe quietnesse bothe to the Church and the Emperour: But Paschalis the Pope did not muche like of his cominge, as the Italian wyters witnesse. The Emperour sendeth to the Pope, the Pope againe to him: certaine couenauntes were agreed vpon, and confirmed by othe, and assured by pledges on bothe the parties. But the Pope coulde not, or woulde not, keepe promise with the Emperour, for that his Bishoppes did withstande, and in no wise would stande to the agreement: whereupon followed great tumult and a bluddy fraye. The Emperour seynge they for their partes, would not stande to the couenauntes, whiche were confyrmed so strongly by othe, and hostages, as mighte be, woulde not in like wyse be

Naclerus.

bounde to his. Shortly after Easter following, there was a freendly peace concluded betwixt the Emperour and the Pope, who crowned Henry .5. Emperour, deliuering vnto him with his holy hande suche priuileges as his ancestors were wont to enioie, and confirmed the same to him, neuer to be taken from him vnder the paine of the great Cursse. After this the Emperour toke an Othe of al the inhabitauntes in euery Citie thorough Italy, for their faithfull obedience to him, and the faithfull keepinge of this his prerogatiue, and priuilege in Ecclesiasticall thinges or causes.

Nauclerus.

The next Emperour to Henry, was Lotharius, who so laboured with the Pope, to retaine the inuestiuring of Ecclesiasticall persones, and besides that, he so trauailed in other Ecclesiasticall causes, so well as Temporall, that saith *Vrspergens*. *Huius laus est à vindicata religione & legibus*: The praise of this Prince is, in that he reformed Religion and the Lawes.

Otto Frisingen.

Nexte to whome, was Conradus Emperour, to whome the Romaynes wrote supplications, to come and chalenge his right in these matters, to reduce the forme of Emperre, to the old state which it was in, in Constantine and Iustinians daies, & to deliuer them from the tyranny of the Pope. To whome also the Pope wrote humble supplications, to take his cause into his protection against the Magistrates of Rome, whiche tooke vppon them to reduce the Pope, to the olde order and state of the auncient Bishoppes of Rome.

Nauclerus.

Nauclerus.

Nexte to whome, followed the godly and zelous Emperour Frederike the firste, who seeinge the horrible vices of the Romishe Church, commaunded that no Legate of the Church of Rome shoulde be suffred to entre into Germany, without he were called or hyred of the Emperour: nor would suffer that any man vnder the maner of appellation shoulde goo vnto the Courte of Rome.

After

After the death of Adrian the fourth, the Cardinals
 set out amongst them selves for the Election of a new
 Pope: some stryvinge to have Rowlande, other some con-
 tendinge to have Dauidan, a man (saith *Vrsburg.*) in all
 pointes honest and Religious. Hereupon sprange an hor-
 rible Schisme, and greate disorde. Rowlande sent his
 Legates to the Emperour *Fredericus.* and desired him that
 he woulde take vp and ende this contention by his autho-
 ritie. The Emperour commaundeth them both to come
 vnto him at *Ticinum*: where forthwith he sommoned a coun-
 cell to be holden about this matter, mindinge to examine
 bothe their causes, and by searchinge to trye, whose cause
 was the more honest. Rowlande beyng a fraide to haue
 the matter come to this tryall, getteth him to William
 of Sicilia, the Emperours mortall enemye, and within
 twelue daies putteth on his Cope, and nameth him selfe
 Alexander: for he purposed (belyke) to make a conquest
 of the matter. He alleaged his election to be good out of
 al doubt, and that he sente for the Emperours ayde, and
 not for his arbytrement: and therefore thought not good
 to bringe his case into doubtfull question. The Em-
 perour beyng offended with him, for that he woulde not
 obey his appoyntement, sente two Bishops to cite him,
 to come vnto the Councell by the name of Cardinall, and
 not Pope: But Rowlande refused, confuting their Ci-
 tation with this Maxim or Principle, *Romanum Pon-*
tificem a nemine iudicari debere: the Pope ought not to be iud-
 ged of any man. But whē these Legates from the Emperour
 came to Dauidā, he straight ways obeyed, & they brought
 him to *Papia*. *Vrsburg.* saith, that Rowlande was oftentimes
 monished to come, and did contemne all those monitions.
 The Emperour satte in the Councell, (as *Radenicus Fris-*
gensis, who wrote his actes, witnesseth) and made an ora-

*Vrsburg.**Naclerus.**Sabellicus.**Vrsburg.**Platina.**Naclerus.**Platina.*

Vrsburg.

tion vnto the Bishoppes, wherein he declareth, and that by the example of his auncestours *Constantinus*, *Theodosius*, *Iustinianus*, and of later time of *Carolus Magnus*, and other, that the power and authoritie to call Councelles, where the Church is troubled with any schismes, or other perillous disturbance, belongeth to the Emperour: Notwithstandinge he committed the defininge of the controuersie to their wisdomes, and gaue them thereunto authoritie. The councell debateth the cause, & consulteth with men learned in the lawe, and so concludeth, that *Octavianus* election was good, and adiudgeth him to be the right Bishop of Rome. When they had thus tryed out the matter, *Fredericus* the Emperour (saith *Platina*) Confirmat *Octavianum Pontificem*: Confirmed *Octavianus* Pope. The Emperour within a while after, sente *Octavianus*, newly confirmed Pope, towarde Rome, who dyed in the iourney. After whose death, the Emperour called an other councell at *Wirtzberge* (as *Auentinus* writeth) whereln were a greate number of Archebishoppes, and other Bishoppes, and also may of the nobles and states of the Emperours. In this Councell a statute or Decree was made by common consente: That from hencefoorth none shoulde be Pope, ouerlesse he were created by the consent of the Emperour, accordinge as the custome had bene of longe and auncient time. This worthy Emperour, whom the Chyoniclers call *Christianissimum*, moste Christian, for his zeale towarde Goddes Church, endeoured not without great perill to him selfe and his estate, to reteine the iurisdiction due to the Princes, and thereby to resourne the horrible disorders that were growen so highe, that they ouerwhelmed the Church, as in lyke sorte diuers other Emperours and Kinges, bothe before and after, had attempted, but in vayne: for the wealthy pride, the fierce power, and trayterous treachery of the Pope

Pope and his Prelates was so mighty, violent, and subtle, that there was no earthly power able to withstande or matche with them. And therfore Erasmus compteth the Popes of this time, and those that folowed, to be the Vicars and successours of Julius Caesar, of Alexander the the great, of Croesus the ryche, and of Ferres the mighty: rather then of Christe, the onely Emperour & governour of the Church. Bernarde calleth Eugenius. 3. in his great pompe, and pride, rather the successour of Constantinus the highe Emperour, then of Peter the humble Apostle.

In Prouer.
Sileni Alci-
biadis.

And Abbas Vrsburg. who lyued at this time, when the Popes had spoyled the Emperour, and other Princes wel- nighe of all iurisdiction, rulinge all by theyr owne Decretalles, nowe aboute this time set forth as they listed, maketh a lamentable complainte of the horrible pride and couetousnesse of the whole clergie, and concludeth with these wordes: Gaude mater nostra Roma, &c.

Reioyce O our mother Rome, because the schuses of the hidden treasures in the earthe are opened, that riuers and heapes of money maye flowe vnto thee in great abundance. Be glad of the iniquitie of the sonnes of men, because money is geuen to thee for the recompence of so great euilles. Be mery and iocund for discordes sake, which is thy helper, because he is rushte out of the infernal pit, that pleisful rewarde of money might be heaped vpon the: thou hast that which thou hast alwaies thyrsted after: synge pleasant balades, for through mennes malitiousnesse, not by thy Godlinesse, thou hast oueycome the worlde.

About this time, the kinge of Sicillia and Apulta, had a dispensation from the Pope for money, to inuesture Archebishops or Bishoppes with staffe or crosier, ryng, palle, myter, sandalles or slippers: and that the Pope mighte sende into his dominions, no Legate, onlesse the kinge shoulde sende for him.

Otto Fri-
singensis.

Our Englishe Chroniclers make report, that the kynges of this Realme, hadde not altogether leaste

at

Of the dooinges of their dealinge in Church matters, but continued in
 of the kinges of parte their Jurisdiction aboute Ecclesiastical causes, al-
 this Realme, in though not without some trouble. *The Popes Legate came into
 Eccl. matters, be- Englande, and made a counsell by the assent of kinge William the
 fore the Cöquest Conquerour. And after that in an other Council at Wini-
 loke in the boke chester, * were put downe many Bishops, Abbottes, and Priours, by
 De potestate Re the meanes and procurement of the Kinge. The kinge gave to Lan-
 gia set out by franke the Archbishopsrike of Cantorb. and on our Lady day the As-
 the Prelates, 26. sumption made him Archebis hop. On whit sonday, he gave the Arch-
 Hen. 8. bis hoprike of Yorke, unto Thomas a Canon of Bayon. When Tho-
 *Polychron. mas should haue bene consecrated of Lanfranke, there
 Polic. Fab. fell a strife betwixt them, about the liberties of the church
 Polyc. of Poze. The controuersie beinge about Church mat-
 Fabyan, ters, was brought and referred to the Kinges iudgement,
 and Thomas by the Kinges commaundement, was faine to come againe
 to Lanfranke to be sacred. And afterwarde, when there greto
 Polychr. greater contention betwixt these twaine about Church
 matters, the Bishop of Rome remitted the matter to be determined
 before the Kinge, and the Bishoppes of Englande, and so at Winde-
 Fab. Polychr. sour before kinge VVilliam and the Cleargy, the cause was treated. Also
 Fabyan. an other cause was moued befoze the Kinge of the misor-
 der of Eborstan, whome the Kinge had made Abbot of Glaston-
 bury, by whose iudgement the Abbot was chaunged, and touned to
 his owne Abbey in Normandy: but the Monkes scattered aboute by the
 Kinges heft. After this the kinge bestowed many Bis hoprikes on his
 Chaplaines, as London, Pozwiche, Chester, Conentry, &c.
 And ruled both the Temporality and the spirytualty at his owne will:
 (saith the Polychronicon: He tooke noman fro the Pope in his lande,
 (he meaneth that the Kinge woulde suffer no Legate to
 enter into the lande from the Pope) but he came and pleased
 him: he suffered no Council made in his owne countrey without his
 owne leaue: Also he woulde nothinge suffer in suche a counsell, but as
 he woulde assent. So that in geuinge, or translatinge of
 spiritual.

Spiritual promotions, in giving his assent to counsels, and suffering nothing to passe without his consent, in hearing and determining Ecclesiasticall causes, in restraining the Popes libertie, without his speciall licence, and in raising the spiritualtie at his owne will: King William sheweth plaine, that he tooke him selfe for the supreme gouernour within this Realme in all manner of causes, so well Ecclesiasticall as Tempozall. In like manner did his sonne William Rufus, who made Anselme Bishoppe of Dorke, and afterwarde translated him to Cantorbury.

But within a while, grief and contention fell betwene him and Anselme, for Anselme might not call his Synodes, nor correct the Bishops but as the king would: the king also challenged the inuestiture of Bishops. This king also forbade the paying of any money or tribute to Rome: as saith Polychronicon.

Eabyan.

The like inhibitiō made Henry the first, and gaue Ecclesiasticall promotions, as his aunccestours had doone: wherefoze Anselme fel out with the king, and would not consecrate suche Prelates, as he beyng a Lay man had made: but the Archebishop of Dorke did consecrate them, and therefoze Anselme fledde the Realme. In an other counsell at London, the spiritual condescended, that the kinges officers, should punish the Priestes for whoordome. The cause of this decree, as it seemeth, was, that a Cardinall named Ioannes Cremensis, that came to redresse the matter, after he had enueighed against the vice, was him selfe the same nyght taken tardy. In the whiche counsell also, (saith Polydore) the king provided many thinges to bee enacted, whiche should greatly helpe to lead a Godly and blessed life. After this the king called an other counsell at Sarisbury, summoning thither so well the chief of the Clergie, as the people, and swore them vnto him, and vnto William his sonne. Whereupon Polydorus taketh occasion to speake of the order of our Parliament, though it haue a French name,

Math. Par.

Fabyan.

Fabyan.

Simeō Dunelmensis.

Hen. Huntingtonus.

Roge. Houedenus.

Mat. Paris.

Mat. westmonast.

Polydorus.

Of the dooinges of their dealinge in Church matters, but continued in
of the kinges of parte their Jurisdiction aboute Ecclesiastical causes, al-
this Realme, in though not without some trouble. *The Popes Legate came into
Eccl. matters, be- Englande, and made a counsell by the assent of kinge William the
fore the Cōquest Conquerour. And after that in an other Council at Wain-
loke in the boke chester, * were put downe many Bishops, Abbottes, and Priours, by
De potestate Re the meanes and procurement of the Kinge. The kinge came to Lan-
gia set out by franke the Archbishopsrike of Cantorb. and on our Lady day the As-
the Prelates, 26. sumption made him Archebifhop. On whit sonday, he gave the Arch-
Hen. 8. bis hoprike of Yorke, vnto Thomas a Canon of Bayon. When Tho-
* Polychron. mas should haue bene consecrated of Lanfranke, there
Polic. Fab. fell a strife betwixt them, about the liberties of the church
Polyc. of Yorke. The controuersie beinge about Church mat-
Fabyan, ters, was brought and referred to the Kinges iudgement,
and Thomas by the Kinges commaundement, was faine to come againe
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matters, the Bishop of Rome remitted the matter to be determined
before the Kinge, and the Bishoppes of Englande, and so at Windsor
before kinge VVilliam and the Cleargy, the cause was treated. Also
an other cause was moued befoze the Kinge of the misor-
der of Thurstan, whome the Kinge had made Abbot of Glaston-
bury, by whose iudgement the Abbot was chaunged, and roured to
his owne Abbey in Normandy: but the Monkes scattered aboute by the
Kinges hest. After this the kinge bestowed many Bis hoprikes on his
Chaplaines, as London, Norwiche, Chester, Couentry, &c.
And ruled both the Temporality and the spirytualty at his owne will:
saith the Polychronicon: He tooke noman fro the Pope in his lande,
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Polychr.

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Polydorus.

Polyd.

Naucier.

Abb. Vrsp.

name, yet in deede to be a rouncell of the Clergy, and the
 Laitie, whereof the Prince hath a full ratifying or enfrin-
 ging voyce. And nor only (saith he) this king did make Bishoppes
 and Abbottes (whiche he calleth) holy rites, Lawes of Religion, and
 Church ceremonies (as other like wyle cal it, Ecclesiasticall busines)
 but the Princes of euery nation, began euery where to claime this right
 vnto them selues, of naming and denouncing of Bishoppes, the whiche ro
 this daie they holde fast with toothe and nayle. Also Martinus here
 noteth. Vntill this time, and from thence euen till our daies, the king
 of Hungary maketh and inuestureth according to his pleasure, Bishops
 and other Ecclesiasticall persones within his Dominions. And here fir-
 then I am entred into the noting of the practises of other
 countries in this behalfe: I might not onely note the do-
 ings about this time of Frederike king of Sicill, and
 James the king of Spain his brother, in reformation of
 Religion in their Dominions, as appereth in their Epi-
 stles witten by Arnoldus de noua Villa: but also make a di-
 gression to the state of other partes in Christendome, as of
 the Churches of Grece, of Armenia, of Moscouia, &c. that ac-
 knowleged not any, but onely their Princes, to be their
 supreme gouernours in all thinges next to Christe: as e-
 specially also to note that most auncient part of Christen-
 dome southwarde in Aethyopia, containing. 62. kingdomes
 vnder the ruling of him whom we misname Presbyter Ioannes,
 as who saue he were a Priest, and head Bishoppe ouer
 those Christian Realmes, hauinge suche a power with
 them, as the Popes usurpation hath challenged here in
 Europe, to be an head or vniuersall Priest and kinge. If
 we may beleue sabellicus, who sayth that he hath bothe of-
 ten talked with the marchauntes, that haue their traf-
 fique there, and hath also diuerse tymes enquired the
 matter by an interpretour of the inhabitants there borne,
 they all saie, that his name is, neither Presbyter Ioannes, nor Preito

lanes, but saye they, his name is Gya, that is, mightie, and they marueile greatly what the Italians meane, to call him by the name of Priesthoode. But this they saie, that all the suites or requestes euen of their greate Bishoppes, are brought before the kinge him self: and that all their benefices or spirituall promotions be obtained at his handes. So that there beyng, as sabellicus telleth further, an excedinge great number of chiefe Prelates or Metropolitanes, and vnder every one Prelate at the least twenty Bishoppes, all their suites and causes Ecclesiasticall, beyng brought vnto him, and he the maker of all these Prelates, Bishoppes, and other Ecclesiasticall persones, he is called ouer them all, Clergie or Laye, in all causes Ecclesiasticall or temporall, Gya the mightie: that is, the supreme Ruler and Governour, and euen so hath continued sithen those partes were first Christened, (as they saye) of Thomas Dydimus the Apostle, vntill our tyme. But this by the waye, nowe from them to retourne to our owne countrey.

In England also, king Stephan reserved to him self, the inuestitures of the Prelates, as likewise after him did Henry the seconde, that made Thomas Becker Archebischoppe of Cantorburie, who thereat was sworne to the kinge, and to his Lawes, and to his sonne.

Mat. Paris.
Polych.

In the ninth yeere of his reigne, this kinge called a Parliament at Northampton, where he entended reformation of many priuileges that the Clergie had, and amongst these, was one: that although one of the Clergie had committed felonie, murder, or treason, yet might not the kinge put him to death as he did the Laye menne. The which thinge with many other, the kinge thoughte to redresse in the saide Parliament. Thomas Becker resisted him, but he mighte not prauayle against the kinge. For well neere all the Bishoppes of Englande were against him.

Mat. Paris.
Fabyan.

In the 17th yeere of his reigne, the kinge made a iourney into Ireland,

Fabyan.

where with great trauaile he subdued the Irish, and after with the helpe of the Primate of Armagh, he reformed the manners of the people and dwellers in that country, and that in three things especially: first, in rulinge and orderinge of the Church by the Curates, and howe they shoulde order their diuine seruice, and minister the Sacrament of matrimonic as it was in Englande, and other Christian Regions: The seconde was, howe that the Laye people shoulde behaue them selues towards their Curates, and in what wise they shoulde paye and offer to God their rites. The thirde was, for makinge of their testaments.

In Germany succeeded vnto Frederike, Henry, and next vnto him Philip, both of them inuesturing Bishops, and suffering no Legates from Rome to come into Apulia, nor sicilia, according to the aforesaide composition. Next to whom succeeded Otto, surnamed of the Clergie the defender of Iustice, for where as the manner of Princes was, (saith Abbas vespington) cheerfully and readily to geue benefices or Churches, to those that did first aske them, he woulde not so doo: but he gaue all the benefices that fell, as well Ecclesiasticall as secular, to those with whom he was acquainted, &c. This Emperour came into Italy, claimed and recovered al the right of the Empire, that the Pope usurped vnder the name of S. Peters patrimony, and called a synode at Norimberge about this matter, and touching the Popes authoritie.

Naucerns.

In England as Henry his father had doon before him: so folowed King Richard in geuing Ecclesiasticall promotions, in calling counceils, & ordering other Ecclesiasticall matters: yea, eue in his absence, being in syria by one that represented his person therein, the B. of Ely, who called and made a counceill at westminster, as the kings procurator, and the Popes Legate, and spake by the kinges power. But in this matter, King John did more then any of his predecessours, which purchased him much hatred with the Pope and his Pontiffs.

Polych.
Fabyan.

In

In this while the French King holde a Councell at Cenomannia in Tuxon. And after him Kinge Lewis did celebrate a solenne councell at Paris. Whereat was present the Popes Legates.

In whiche time was Frederike the. 2. Emperour, out of doubt, saith Auentinus, an other Charles the great, and without all controuersie most profitable for the Christian common weale: whiche not onely helde the priuileges aforesaide in spalia and sicilia, but in all his dominions, and about this mater, famed diuer Popes, called and kepte diuerse Councelles, aswell by his Sonnes, as by him selfe: & ordeined certaine Ecclesiasticall lawes againste diuerse Heretiques, condemninge their heresies and appointing how they should be ordered; ordeininge likewise many priuileges for Ecclesiasticall personnes. In whiche time Henry the. 3. Kinge of Englande helde a solenne Councell, in the whiche bothe by the sentence of the Kinge and of the Princes, not a fewe priuileges, were taken away from the order of priesthoode, at what time the Popes Legate required a tribute of all the Cleargy, but it was denied him. Robert Grosstest (whome yee call S. Robert) wrote vnto the Pope, a sharpe Epistle, because he greued the Church of Englande with rushes and paymentes against reason, of whiche when he sawe no redresse, he with other Prelates of the lande, complained vnto the Kinge, of the waste of the goodes and patrimonie of the Church, by the Popes neare kinsmen and other alien Bishoppes, whome the Kinge excluded out of the Realme. To whome also the Emperour Frederike wrote, that it was a shame for him to suffer any longer his Realme to be oppressed with the Popes tyranny.

el. **Armen the French hunge, called S. Armes, who as Antonin^{us}.**
Antoninus saith, was so instructed, even from his infancie. In all the
wisdom of diuine and good orders, that there was nor founde his
life, that kept the lawe of the high God, &c. made a lawe againste
slayn, that blasted the name of the Lord. adioynge a penaltie

of a whore-yeon to be printed in the transgressours forehead. Also
 Appéd. Ma in the yeere of the Lorde. 1228. He made a Lawe againste the Popes
 th. Paris. fraudes, concerninge the preuentions and reseruatiōs of the reues
 nues, and dignities Ecclesiasticall, complayninge that the Pope had
 pulled from him, the collations of all spirituall promotions: ordai
 ninge that from hence forth the election of Bishoppes, Prelates and
 all other what so euer, shoulde be free, forcible, and effectuell to the
 electours, patrones and collatours of them. Also the same yeere he
 set forth an other Lawe againste Simonie: complayninge of the bieyng
 and sellinge of Ecclesiasticall dignities.

Fabyan. He made also certayne
 godly Lawes againste whoredome and Fornication.

Appéd. Ma Laſte of all in the yere of the Lorde 1268. he set forth
 th. Paris. the Lawe, commonly called Pragmatica Sanctio: where
 in amongst other Ecclesiasticall matters againste the
 Popes pollinges he saith thus: Item, in no case we will
 that exactions or greuous burdens of money, beinge laide on the
 Church of our Kingedome by the Courte of Rome, whereby our
 kingedome is miserably impouerished, be leuied or gathered: nor
 any hereafter to be layde, excepte onely for a reasonable godly and
 moſte vrgent cause of necessitie, that can not be auoided: and that the
 same be doone by our expresse biddinge, and commaundement of our
 owne accorde.

Conradus, Conradinus and Manfredus, still kepte
 the priuilege of the foresaide Ecclesiasticall matters in
 Sicilia and Apulia. Shortly after this time Charles the
 Kinge of Sicilia and Apulia, had all or most of the doing
 in the election and makinge of diuerſe Popes, as of Marryn.

Naclerus. 4. Celeſtyn. 5. Pomyſace. 8. &c.

Platina. Edward the firste, Kinge of Englande, aboute this
 time made the Statute of Portheampton: so that after
 Polych. that time, no man shoulde geue, neither sell, nor bequeath, neither
 chaunge, neither bye title, assigne landes tenementes, neither rentes
 to no man of Religion, without the Kinges leaue: whiche acte, ſence
 that.

that time, hath bene more straightly enacted and diuised with many additions, therunto augmented or annexed. The whiche Lawe, saith the Polydore, he made bicause he was Religionis studiosissimus, &c. moste studious of Religion, and moste sharpe enemye to the insolency of the Priestles.

Eabyan.
Polyd.

At this time Philip le Beau the Frenche Kinge, beganne his reigne, brought vp in the studie of diuinitie, vnder Agidius the Romaine diuine, by whose admonitions and also of other diuines, the Kinge beinge instructed in his duety, aboue al other thinges, endeouored himselfe aboute the refozmaton of Religion, and orderinge of Ecclesiasticall matters. Whereuppon lookinge to the state of the Cleargy, he deposed a certaine Bishoppe for Heresie, and gaue his Bishoprike to an other, and besides, claymed the investiture of all other Bishoppes in his dominions: and callinge Councelles at home in his owne Realme, woulde suffer none of his Cleargy to goo to the Popes Councelles. He caused the Popes Bulles to be burned. He commaunded the Popes Legates to auoyde his realme: He commaunded that no money shoulde be caried out of the Realme to the Pope. He sette forth a Lawe that no man shoulde goo to Rome out of his kingedome. He called a Councell at Paris, and caused to be gathered thither all the Prelates and Barons of Fraunce: to iustifie his dooinges, He sheweth vnto them why he tooke vpon him to call a Councell. He enueighed againste the Pope for Heresie, Symonie, Homicide, Pride, Ambition, &c. and that of righte he ought therefore to be deposed. He demaundeth of the Councell, vnto whome they be lawfully sworne, and of whome they haue receiued their dignities? They all answere, that they are all the beneficiaries of him alone, and that mindefull of their Faith, and the Kinges estate, they woulde suffer death, for his glory, power and saulsegarde. Whereuppon he setteth forth a pragmaticall sanction or forceable lawe to diminish the dignitie of the Pope.

Paul. Acm.

Anton.
Naucler.
Blond.

Acmylus.
Nauclerus.

Platina.

Nauclerus.
Antonin.
Sabelh.
Nauclerus.
Sabellicus.
Acmyl.

Append.
Vrispurg.

Spany

Antonin^o.
Naclerus.

Antonin^o.

Many other Ecclesiasticall Lawes he made, againste the Jewes, againste the Templars, against adulterie. &c. He made also Clement the fifth Pope, and swoze him to certaine cōditions befoze hande: by whose importune meanes also, the Generall counsell of Vienna was holden. In whiche Counsell he laboured to haue Pope Boniface condemned for an Heretique, affirminge that he would proue him so. But the matter was taken vp, and to satisfie the Kinge, it was decreed that all the processe of Bonifacius against the Kinge were vniust, and the Kinges doinges in any point against the Pope should not be prejudicial to him or to his heyers.

About the time of this Counsell at Vienna, the famous Scholemā Durandus setteth forth a booke: wherein as he rekeneth vp diuerse and great enozmities in Church matters: so for the reformation of them, he aluayes sorneweth the Kinge, and secular Princes, and the Prelates, and to this purpose citeth the foume of the auncient Councelles and many times enueigbeth against and complaineth vpon the vsurped authoritie of the Romaine Bishop, warninge men to beware, how they yelde vnto him: and prescribeth a rule for the Princes, and the Prelates to resourme all these enozmities, not by custome were it neuer so auncient, but by the worde of God. About this time also the Emperour Henry the. 7. came into Italy with great power, to reduce the Emperre to the olde estate and glory of the auncient Emperours in this behalfe. And on the day of his coronation at Rome, accordinge to the maner of other Romaine Emperours, he set forth a Lawe or newe authentique of the most high Trinitie, and the Catholique faith.

Acmyl.

Paral. Vrsp.
Naclerus.

Perte to Henry. 7. was Lewis. 4. Emperour: who had no lesse but rather greater confliques with the Popes in his time about the reformation of abuses, than any had befoze him: the Pope nowe claiminge for an Ecclesiasticall matter,

matter, the confirming of the Emperour, as befoze the Emperours were wonte to confirme the Popes. About whiche question, the Emperour sent and called many learned Clerkes in Diuinitie, in the Ciuill and Canon Lawe, from Italy, Fraunce, Germany, Paris, and Bo-
Antoninus
 nania, whiche all aunswered, that the Popes attempts were erroneous, and derogating from the simplicitie of the Christian Religion. Whereupon the Emperour willed them, to searche out the matter diligently, and to dispute vpon it, and to gather into bookes their mindes therein, whiche diuers did, as *Marsilius Patavinus*, *Ockam*, *Dantes*, *Petrarche*. &c.

By whome, when the Emperour vnderstode the Popes vsurpation, he came to Rome, called a councell, and deposed the Pope, & placed an other in his rowme: In whiche councell, the Romaines desired, to haue their olde order in the Popes election ratified by the Emperour, to be renewed. This Emperour also called a very great coucell at *Frakeforth*, where besides the spirituall and secular Princes of Germany, the kinge of Englande, and the king of Beame, were present, where by the greater and sounder part, the Popes aforesaid vsurpation was abolished.

Which sentence the Emperour confirmed, and published *Paral. V. 15p.*
 writing therof, that his authoritie dependeth not of the Pope, but of God immediatly, and that it is a vaine thinge, that is wont to be saide, the Pope hath no superiour. The Actes of this councell against the Popes processe were ratified by the Empe-
Nauclerus.
 rour, as appeareth by his letters patentes thereupon, beginning thus. *Lodouike the fourth, by the grace of God &c.*

To all Patriarches, Archebishops, Bishops, and Priests &c. and ending thus: VVherfore by the councell and consent of the Prelates and Princes, &c. VVe denounce and determine, that all suche processe be of no force or moment, and straightly charge and commaunde, to all that live in our Empire, of what estate or condition so euer they be, that they presume not to obserue the said sentences and curses of the

Naucerus. Popes interdiction. &c. An other Councell he called afterwards at the same place, about the same matter: because Pope Clement called it Heresy, To saie that the Emperour had authoritie to depose the Pope, whiche heresy as principal, he laide first to the Emperours charge. Item, that the Emperour affirmed, that Christ and his Apostles were but poore. Item, the. 3. heresy, that he made and deposed Bysshops. Item that he neglected the Popes interdighment. &c. Item that he ioynd certaine in mariage in degrees forbidde (he meaneth forbidden by the Popes Lawes) and deuorceth them that were married in the face of the Church. Whiche in deede was nothing els, but that amogest other Ecclesiastical lawes, that the Emperour set forth, were some for mariages and deuorcementes, contrary to the Popes decrees.

Aemylius In Fraunce king Charles denied the Pope the tenthes of his Clergie. But Philip de Valoy, that followed, reformed and tooke away many late vpsstart Ecclesiasticall abuses in the Clergy, and Prelates in his Realme: of the whiche, diuerse complaints being made vnto the king, he called a councel at Paris, and sommoned thither the Bishoppes, as appeareth by his letters wherewith he complained, that they haue enchroched from him and his officers a great many of rightes: bringing in their nouelties not due, and vnwonted grieues vnder the pretence of Ecclesiastical causes: whereby they haue broken the concorde of the Clergie and the Laity, and therefore willing to prouide so muche as he can by Goddes helpe, an healthfull remedy: He requireth, and neuerthelesse commaundeth them to appeare before him at Parys personally. &c. The Prelates appearing at the daye assigned, before the kinge in his Palayce, Archebishoppes, Bishoppes, and makinge reuerence to the kinges maiestie, being set downe with his counsell, and certeine Barons assisting him, a certeine knight of the kinges counsell, spake publykely for the kinge in the presence of them all, takinge for his theme this texte. Quæ sunt vniuersi Cesaris, hæc sunt vniuersi Dei. &c.

The

The kinges admonition being made, a great many complaints were put by vnto the king by his nobles and officers, against the Clergies vsurpation, in meddling with contractes of mariages, in their priuileges of Clerkes: In citations to their Courtes, in their excommunications, in willes, and hereditamentes, in callinge of prouinciall councelles, in making synodall Decrees, and statutes, in meddling with realties, in peremptory wrytes, in examinations of mens belevies, in enioyning of money penances, In shauing of childzen, and vnlawful persons making the Clerkes, in whoordome and fornication, in wyddowes goodes, in bloudshed in the Churchyard, in inuentories, &c. and in a great many mo matters, whiche ye call Spirituall or Ecclesiasticall causes: the Frenche kynge prouing them to be (as in deede they were no other) but temporall: neuerthelesse not standinge muche about the name, nor taking them all away, from their iurisdiction, he onely said, he would refozme them. Neuerthels, for certeine daies there was muche disputing to and fro, whether they belonged to the kinge to reforme or no, till the king by his foresaide procurator gaue them the kinges determinat answer, declaring vnto them, howe that they ought not to be troubled, bicause the kinges intention was, to keepe those rightes and customes of the Church, and Prelates which were good and reasonable, but by reason of their faults, the iudgement whiche were good and reasonable, appertained not vnto the to determine, but to the king. Bicause the Decree, Nouit &c. saith, that the kinge of Fraunce in matters de Facto, hath not his superiour &c. Vwhereuppon hee concluded, that the kinge would heare all the informations: And those Customes of the whiche he shoulde be fully enfourmed, that they were good and reasonable, he would make onely to bee obserued.

In conclusion the Prelates made such importune labour,

that they obtained the kinges licence, that

AN ANSWERE

Acmylius.

that the foresaide attourney answered them for the kinge, that if the Prelates themselves would amende those thinges, that were to be amended and corrected, the king would abide till the feaste of the Natiuitie next to come: Within whiche terme, he would innouate nothing: but if within the saide terme, the Prelates had not amended those thinges that were to be amended and corrected, that then the kinge would put to suche remedy, as should be acceptable to God and the people. Whiche in conclusion the king was faine to do, by a sharpe & seuerer Lawe, whan he saue howe the Prelates dallied him of, with faire wordes, and therefore he him selfe, Composuit rem sacerdotum, did set in order the matters of the Priestes.

Paral. Vrsp.
Fabian.
Caxton.
Polyd.
Naucerus.

In England at this time many abuses about Ecclesiasticall causes, were reformed (although the Pope & his Clergie, did earnestly mainteine them) by king Edward the. 3. who wrote his letters to the Pope, admonishing him to leue of his disordered doinges, & whan that woulde not serue, he redressed them by act of parliament, and (as Naucerus saith) he commaunded that from thenceforth, no body should bring into the Realme any kinde of the Popes letters, vnder the paine of drowning, and expelled all persones out of his kingdom, that weare by the Pope promoted to any benefice.

Naucerus.
Paral. Vrsp.

Naucier.

Next to Lewes was Charles the. 4. chosen Emperour, who helde a counceill at Mentze, with the Prelates & Princes, in the yere of the Lorde. 1359. wherein he much reproued the Popes Legate for his disorders, and commaunded the Archbishop of Mentze to reforme his Clergie, and the disorders amongst them, for otherwise he would see to it himselfe. The Popes Legate seying howe the Emperour tooke vpon him, gate him to his shippe, and saylled to Colayn as one that fledde awaye. With whiche doynges, the Emperour became very famous, for he was a man of great workes, who dyd lyghten the kyngdome of Boheme, bothe with the setting

the settinge forth of Religion, and with the discipline of Lawes and good manners. At this time wrote Nilus the Bishoppe of Thessalonica, declaringe the onely cause of the diuision betwene the Greeke and the Latine Church to be, for that the Pope will not suffer free and generall Councelles to be called by the Emperours accordinge to the auncient custome: & that his authoritie is not by the Lawe of God, but by the positieue Lawes of Princes, graunted onely, because that than Rome was the greatest Citie in the worlde, and hath no prerogative of Christ or Peter, more than any other Bishopricke.

King Richard the 2. called a Councell at Westminster (saith Polydore) wherein it was thought good to the Kinge and the Princes for the weale of his realme of Englande, if a parte of the Popes authoritie were bounded within the limites of the Ocean sea, (he meaneth that it were diuinen out of the Ile of Britaine) wherefore it was decreed, that hereafter it should be lawfull to no man, to trie any cause before the Bishop of Rome: nor that any man be publicly pronounced wicked or enemy of Religion, that is to wit, as the common people terme it, be excommunicate by his authoritie: nor that if any man haue any suche commaundement from him, they execute the same. The penaltie ordeined to those that violate this lawe, was, that losinge all his goodes, he should be caste into perperuall pryson.

The Church of Rome at this time was maruailously tozned in sunder with an horrible Schisme, whiche continued about .xl. yeeres, hauinge at ones thre heades, callinge them selues Popes, every one of them in moste despitesfull wise, callinge the other Antichrist, Schismaticke, Heretique, ttraunt, thiefe, traytour, the sonne of perdition, sower of Cockle, the childe of Belial, &c. diuerse learned men of that time inueighed against them all thre, as Henricus de Hasla, Io. Gerson, Theodorych Nyem, secretary before this Pope Boniface, who proueth at large by good reasons,

De schif. li,
3. cap. 73

by the worde of God, and by the Popes decrees, that the reformation of these horrible disorders in the Church, belonge to the Emperour, and the secular Princes. Sigismunde the noble Emperour vnderstandinge his duetie herein, amongst other his notable actes, called a Councell togeather at Constantia, and brought againe to vnitie the Church deuided in three partes: whiche Councell (saith Paulclerus) beganne by the Emperours commaundement and industry, in the yeere. 1414. To the whiche Councell came Pope John before the Emperours comminge, thinkinge to haue out-faced the Councell with his pretended authoritie, till the Emperour came: w^{ho} geuinge to all men in the Councell free libertie to speake their mindes, a great companie of horrible vices, were laide streight way to his charge. To the whiche when he was not hable to answere, he was deposed, and the other two Popes also, and an other chosen chiefly by the Emperours meanes, called Martyn the. 5. After these thinges finished, they entred into the communication of a reformation bothe of the Cleargie and the Layty, to whiche purpose the Emperour had deuised a booke of Constitutions, and also willed certaine learned Fathers there, but specially the Bishoppe of Camera, a Cardinall there presente, to deuise what faultes they coulde finde, and how they shoulde be redressed, not sparinge any degré, neither of the Prelates nor of the Princes them selues. Whiche the Bishoppe did, and compiled a litle booke or Libell, enttuled a Libell for reformation of the Church gathered by Peter de Aliaco. &c. and offered to the Church rulers, gathered togeather in Constance Councell, by the commaundement of the Emperour sigismunde. &c. In this Libell of reformation, after he hath touched the notable enormities in the Pope, in the Courte of Rome, in the Cardinalles, in the Prelates, in Religious personnes, and in Priestes: in eractions,

Pius Pap. 2.

Platina.

Sabel.
Platina.

Volater.

Orch. Grat.

tion, in Canons and Decretalles, in collations of benefices, in fastinges, in the diuine seruice, in iudices, in makinge festiuall daies, in makinge Sainctes, in readinge their legendes in the Church, in hallowyng Temples, in worshippinge Reliques, in callinge Councelles, in makinge religious Houldiours, in refoürminge vniuersities, in studiynge liberall sciences, and knowledge of the tongues, in repayringe Libraries, and in promotinge the learned: After all these thinges beyng Ecclesiasticall matters or causes, he concludeth with the duties of Princes for the looking to the reformation of these matters, or any other that needeth amendement. The sixth, (saith he) and the laste consideration shalbe of the refoürminge of the state of the Laie Christians, and chiefly the Princes of whose manners dependeth the behaviour of the people. &c. Let them see also, that they repell all euill customes contrary to the lawe of God, and the lawe of man in their subiectes, by the counsaile of diuines and other wise men. Also let them see that they pull vp by the rootes and destroye more diligently, than they haue doone, Magicall aries and other superstitions condemned by the lawe of God, and all errours and heresies contrary to the Faith. Item that they wathe and care earnestly for the exaltinge of the Faith, and the honour of Goddes seruice, and the refoürminge of the Church, and that they labour and trauaile diligently for the reformation of all those thinges whiche are mentioned afore or here following, or any other thinges profitable. &c. When this booke was thus compiled, it was offered vp to the Councell (saith the Dithwinus) that the moste Christian Emperour Sigismonde had called together, not so muche for the agreement of the Church, as for hope of a generall reformation of their manners: hopinge verely that the Prelates woulde put to their helpinge handes, but the Romaine craftie beguiling the German simplicitie: the newe made Pope feathly flooted the well meaning Emperour sayinge that he would thinke on this matter at layure, &c.

Thus.

Thus was Sigismonde the Emperour misused, whiche other wise might seeme to haue been borne, to haue restored Christianitie to the worlde againe. The frustratinge of this reformation, was on the other side, no lesse greuous vnto the Frenche kinge, that bothe befoze the time of the Councell, and in the councell while, had greatly trauailed in takinge away the Popes exactions, and other ecclesiasticall abuses, wherewith his realme was wonderfully oppressed: as appeareth in the oration that the Frenche kinges Embassadours made in this Councell, witten by Nico. de Clemangis, and set forth in Orthwynus Gratius, fardell of notable thinges.

After this Councell, was an other holden at Basill, whither came the Princes of Spaine, Fraunce, Hungary, and Germany: whiche doinges of the Princes made Pope Eugenius so to feare, that he thought to translate the Councell to Bonomia. But the Emperour and other Princes, and the Prelates whiche were at Basill, not onely not obeyed him, but e wise or thryse admonished him to come thither. This Pope was in this Councell deposed in the.34. session. Of this Councell, the Emperour Sigismonde was the chiefe, and protectour, and in his absence appointed the Duke of Bauaria in his roome. He caused the Bohemes to come to this Councell. And whan he heard of those matters in Religion, which were generally agreed vppon, he allowed them, and commaunded them to be obserued.

After the death of Sigismonde, Frederike the Emperour caused the Duke of Sanooy, that was made Pope, to renounce his Papacy, and commaunded by his Decree, the Prelates gathered at Basill, to dissolue the Councell by a certaine daie. This Emperour called a Councell at Mentze, to make an ende, and vnto to take away the schisme of the Church, and to deliuer it from more greuous daungers. He writeth to the Frenche kinge therof, declaringe how this schisme did so oppresse his minde, and feruently sollicite

Naclerus.

Naclerus.

Naclerus.

Orth. Grat.

sollicite him, that as well for his loue to Religion, as for his office called of God, to be the chiefe advocate of the Church, he did not onely runne with diligence to succour it, but stirred vp all kinges and Princes, that with a pure sinceritie, delighted in the name of Christe, to runne with him in this so necessary and healthfull a worke, and to this purpose, he declareth howe, he hath appointed to all his princes and Prelates an assembly at Mentze, whereat he entendeth, to be personally present, and therefore desireth the Frenche kinge also to bee there in his owne persone, or at the least that he would sende his Oratours thither, instructed distinctly with all waies and meanes, by the whiche the Church might be quiet from the calamities ready to fall on her. Pope Eugenius sent to the Frenche king, to desire him to take away his pragmaticall Lawe. To whom the king answered, that he would haue it kept inuolably. Then the Pope desired the king, neither to admitte Basill council, noz yet the councill at Mentze, that was called: to the whiche the king answered, that he would take aduise.

Orth. Gra.

Pius the seconde, sent his Legate the Cardinal of Cusa, into the cōtreys of Sigismond Duke of Austria, which Legate, when he would haue ordeined certaine Ecclesiasticall constitutions according to the Popes Lawe: Sigismonde the Duke, would not suffer that suche a custome should come into Germany.

Paral. Vrsp.

Aeneas Syluius, who after he was made Pope, was called Pius the seconde, was of this minde before he was Pope, that secular Princes might call counceils, yea, mangre the Popes head, and therefore commendeth that deuise of Charles the Frenche king whiche (saith he) is both a saulf and a short way to still this mischiefe. He meaneth to take awaye the Schisme, and to restore vnitie to the Church. Of the same minde also was his Cardinall de Cusa, as appeareth in his booke De Concordia Catholica, saynge: By that

Epist. 54. ad
Cācel. Imp.

Li. 3. ca. 13.

made the synodall congregations of vniuersall counells of the whole Church: and euen so I my selfe, hauinge sought thoroughly the Actes of all the vniuersal counelles, euen till the eight counsell inclusive, celebrated in the time of Basil; I haue founde it to be true: and so also in the same eight synode in the fiftē Acte thereof, we reade, that the moste reuerende priest Elias and syncellus, of the throne of Hierusalem in the hearinge of all, spake thus: Knowe you that in the times past, they were the Emperours, whiche gathered together synodes from out of the whole worlde, and they collected their deputies, to the disposing of suche manner causes: VVhose steppes iherfore our Emperour folowing, beinge also a worshipper of God, hath made this vniuersal synode. Thus saide he there, and I haue also redde in the litle glosse of Anastasius (the library keeper of the Apostolical see, who translated the same synode out of Greke) vpon the same, saying: that Theperours were wont togather vniuersal synodes from al the world, &c.

Next vnto Frederike was Maximilian Emperour, to whome the Princes of Germany put bp certaine greuaunces in Ecclesiastical matters, that anoyed the Empire, in number. 10. Against Bulles, Priuileges, Elections, reseruatiōs, expectatiues, Annates, unfit pastours, pardons, tythes, & the spiritual courtes &c. beseeching him, to haue some redresse herein. Who being moued with the admonitions, aduiseementes and exhortatiōs of the learned Clergy, & the godly Princes, at the length called a coun- cel at Triers & Colayn, for the redresse of these and other enormities, in the yere of the Lord. 1512. whiche was the fourth yere of the reigne of the moste renowned kinge of England, king Henry the eight. In this councel amongst other thinges, because there was a suspiciō of a schisme breedinge, and of greuaunces in the Church, it was necessarily decreed, that the Emperour and Princes electours, with other Princes and states of Thempire, should loke about them, and wel consult by what meanes, these greues might be taken away most commodiously, and the schisme remoued, and euill

thinges

things reformed to edification. It was decreed also against blasphemours, to paie either a somme of money limited, or to suffer death. And that all men should know this decree, it was thought good to the Princes, and states of the Empire, that al preachers and persons should at all high feastes preache vnto the people thereof faithfully. This being down, Maximilian set forth a Decree for takinge away of the forsaide Ecclesiastical greuaunces: wherein he declareth that though of clemency he haue suffered the Pope & the Clergy herein, as did his father Frederik: Yet notwithstanding, such that by his liberalitie, the worshippe and seruice of God, hath fallen to decaie, it apperteineth vnto his dutie, whome God hath chosen vnto the Imperial throne of Rome, that amongst all other moste great businesses of peace and warres, that he also looke about him vigilantly, that the Church perish not, that Religion decaie not, that the worship of the seruice of God, be not diminished, &c. In consideration wherof, he prouideth, that a man hauing in any citie a Canonship or Vicarship, enjoy not any prebende of an other Church in the same citie, &c. making other decrees against suing in the Ecclesiastical courts for benefices, for defence of Lay mens patronages, for pensions, against bulles, and cloked Symony, &c.

Orth. Gra.

After this, the Emperour & Lewis the French king, concluded together to call a general councel at Bile: to the whiche also agreed a great part of the Popes Cardinals. Many (saith Sabellicus) began to abhorre the Popes Courtes, saying that all things were there defiled with filthy lucre, with monstrous and wicked lustes, with poisoninges, sacrileges, murders, and symoniacall fayers, and that Pope Iulius him selfe was a symoniacke, a dronkarde, a beast, a worldling, and ynworthely occupied the place, to the destruction of Christendome, and that there was no remedy, but a generall Councell to be called, to helpe these mischiefes, to the whiche his Cardinales accordinge to his orde, desired him, but they could not obteyne it of hym.

Maximilian the Emperour, being the authour of it, with Lewis the French king (because the histories doe beare recorde, that in times past the Emperours of Rome had wont to appointe counceils) they appointe a counsell to be holden at Pyse.

Maximilian the Emperour, Lewis the French king, and other Princes beyonde the seas, were not moze carefully bent, and moued by their learned men to resourme by their authoritie the abuses about Church matters, thā was king Henry the eight, at the same time king of Englande, of most famous memozy, who following the humble suitcs and petitions of his learned Clergy, agreynge thereupon by vni forme consent in their conuocation, toke vpon him that authoritie and gouernement in all maner matters or causes Ecclesiasticall, which they assured him to belonge vnto his estate, both by the worde of God, and by the auncient Lawes of the Church: and therfore promised vnto him, in verbo sacerdotii, by their priesthood, not to do any thing in their counceilles without his assent, &c. And this Clergie was not onely of Diuines, but also of the wyssest, mooste expert and best learned in the Ciuil and Canon Lawes, that was than or hath been sence, as D. Constal Bishop of Duresme, D. Stokesley B. of Londō, D. Gardiner Bishop of Wynton. D. Threlby Bishop of Westminster, and after of Norwicke, & your olde master D. Bonner, who succeeded Stokesley, in the see of Londō, and many others: by whose aduise & consent, there was at that time also a learned booke made & published, De vera differentia Regiæ potestatis & Ecclesiasticæ, whiche I doubt not but ye haue seen longe sythen. Neither was this a newe deuise of theirs to please the king with al, or their opinton onely, but it was and is the iudgement of the mooste learned Ciuilians and Canonistes, that, when the cleargie are faultie or negligent, it apperteyneth to
the Empe-

the Emperour to call generall councelles for the reformation of the Church causes, as Philippus Decius a famous Lawyer affirmeth. And the Glossator vpon this Canon Principes, affirmeth that the Princes haue iurisdiction in diuers sortes within the Church ouer the Cleargie, when they be stubbourne, ambitious, subverters of the faith, falsaries, makers of schismes, contemners of excommunication: yea also wherein so euer, the Ecclesiasticall power faileth or is to weake as in this Decree. He meaneth where the power of the Church by the worde of doctrine preuaileth not, therein must the Princes authoritie and iurisdiction take order for that is the plaine prouiso in the decree. The wordes of the decree are as followe. The secular Princes haue oftentimes within the Church the highest authoritie, that they may fence by that power, the Ecclesiasticall discipline. But within the Church the powers (of Princes) shoulde not be necessary, sauinge that, that thinge whiche the Priests are not able to dooe, by the worde of doctrine, the power (of the Prince) may * commande, or obtaine that, by the terrour of discipline: The heauenly kingedome dooth oftentimes preuaile or goo forward by the earthly kingedome, that those whiche beinge within the Church doo against the faith and discipline, may be brought vnder by the rigour of Princes: and that the power of the Princes, may lay vpon the neckes of the proude, that same discipline, whiche the profite of the Church is not hable to exercise: and that he bestowe the force of his authoritie, whereby to deserue worship. Let the Princes of the worlde well knowe, that they of duety shall rendre an accompte to God for the Church, whiche they haue taken of Christe to preserve. For whether the peace and discipline of the Church be increased by faithfull Princes, or it be loosed: He doth exact of them an accompte, who hath deliuered his Church to be committed to their power. To this effect also writeth Petrus Ferrariensis, a notable learned man in y^e Lawes, saying: Thou ignorant man, thou oughtest to know that the Empire (the Emperour) ones in times past, had bothe the swordes, to witte, bothe the

Conf. 151.

23. q. 5.

* Ther is diuers reedings: Imperet or Imperet.

The Princes shal geue an accompte to God, for the Church, and the discipline thereof.

In form. libell. quo agitur ex subst. in verbo ex suo corpore.

In form. respōf.
con. ad verb. tā-
q̄ publ. ex com.
a. 10.

In repetit. lect.
de Christ. Ciui-
tatis Aristocra-
cia.

13. 2. 4

Temporall and spirituall, in so much that the Emperours then bestowed all the Ecclesiasticall benefices thorough the whole worlde, and more, thei did choose the Pope, as it is in C. Adrianus dist. 63. And y^e same Petrus in an other place, saith thus: Marke after what sorte, and how many waies these Clergy mē, doo snare the Lay, and enlarge their owne iurisdiction: but alas miserable Emperours and secular princes, whiche doo suffer this and other thinges: you both make your selues sclaves to the Bishops, and yee see the worlde vsurped by them infinite waies, and yet yee study not for remedy, bicause yee geue no heede to wisdom and knowledge. As Petrus Ferrariensis attributeth both the swordes, that is, both spirituall & temporall iurisdiction to y^e Emperour: So io. Quintinus Hedius a famous professor of the law in Paris, & one that attributeth so much to the Pope as may be, & muche more than ought to be, saith y^e: In solo Principe omnis est potestas: in the Prince alone is al power, and thereto auoucheth this saying of Speculator, De iurisdictione omniū iudiciū; Quod quicquid est in regno, id esse intelligitur de iurisdictione Regis: that whatsoeuer is in a kingdome, that is vnderstanded, to be vnder the iurisdiction of the kinge. To which purpose he citeth an auncient learned one in y^e Law whose name was Lotharius, who, saith he, did say: That the Prince is the fountaine or wellspring of al iurisdiction, & protecteth also him selfe to be of y^e same minde: & writing of the kinges power in Eccl. matters or causes, he citeth this Canon Quando vult Deus smyth of the decrees, wherupon he as it were commenteth: saying, This is the reason wherfore, it is leasfull for the Prince, some whiles to determine those thinges whiche concerne the Church, least the honesty of the mother (he meaneth y^e Church) should in any thing be violated, or least her tranquillity should be troubled, specially of the, to whom she is committed (meaning y^e Church Synisters). If there be any other thing, this chiefly is an Ecclesiasticall matter, namely to call or conuocate Councelles (saith Quintinus) But this is the opinion (saith he) of many learned men, that the Em-
perour

perour may cōuocate a general Cōncell, so often, and for any cause, when
 the Pope and the Cardinales be noted of any suspiciō, and doo for slowe
 and crasse, either for lacke of skill, or peradventure of some euill mea-
 ning, or of both, or els whā there is any schisme. Constantinus (saith he)
 called the first Nicene cōncell, the other three generall Councelles, Gra-
 tianus, Theodosius, and Martianus the Emperours called by their edict.
 Iustinianus called the fiftie generall councell at Constantinople: the Em-
 perour Constantine. 4. did cōuocate the sixte generall Councell against
 the Monothelytes. The authoritie of the kinge Theoderike cōmaunded
 the Bishops and Priestes forth of diuers prouinces to assemble together
 at Rome, for the purgation of Pope Symachus the firste. Carolus Ma-
 gnus, as it is in our Histories, cōmaunded fine Councells to be celebrated
 for the Ecclesiasticall state, to wit, Moguntinum, Remense, Cabilonense,
 Arelatense, and Turonense. The Pope calleth the Bishoppes to Rome,
 or to some other place: the Kinge dooth forbidde them to go, or he com-
 maundeth them to come to his Courte or Councell: the Bishoppes must
 obey the kinges precept, not onely in this case, but in any other mat-
 ter what so euer besides sinne: for he that dooth not obserue his boun-
 den fidelitie to the kinge: whether he be a Bishoppe, Priest, or Deacon, is
 to be throwne forth of his degree or place. For the prouise
 whereof he citeth many Canons out of the decrees, and
 concludeth thus: to be briefe, this is mine opinion: when the kinge
 calleth together the Prelates to a Councell, and to reforme the state of
 the Church, they are bounde to obey, yea although the Pope forbidde it.
 The people doth amende or reforme the negligence of the pastour Can.
 vlt. dist. 65. Ergo, the Prince also may doo the same. If the Bishop will
 not, or doo for slowe to heare and to decide the controuersies of his
 Cleargy: the Bishoppe beyng slowe or taryng ouer longe, nothinge
 dooth hinder or stay (saith the Canon) to aske Episcopale iudicium,
 the Bishoppy iudgement of the Emperour. If it happen that the Prie-
 stes be not diligent about the Aultar offices: if contēning the temple, ne-
 glecting the sacrifices, they hasten into kinges palayces, runne to crast-
 linge places, doo prophane them selues in brothelles houses, and if they
 conuere

The king is
 to be obeyed
 in Ecclesi-
 astical cau-
 ses, and not
 the Pope.

cōvert that which the faithfull haue offered to Christ, to the pleasures of them selues, and of theirs: wherefore shall not the princes, whome the Catholique Faith hath begotten, and taught in the bosome of the church, call againe, and take vpon them selues the care of this matter? and so he proueth at lardge by many examples out of the Histories, and the Lawes, that this care and chardge in Ecclesiastical matters and causes belongeth to the Princes, vnto the whiche examples, he addeth this: In our Fathers time, (saith he) Kinge Lewis. II. made a constitution, that Archebishops, Bishops, Abbottes, and who so euer had dignities in the Church, or had the cure of other benefices, should within five monethes, resort to their Churches, and shoulde not remooue any more from thence, diligently there labouringe in diuine matters, and sacrifices for the saultry of the kinge and his kingdome, and that vnder a great paine of losinge all their goodes and landes. Here Quintinus doth greuously complaine of the dissolute and moste corrupt manners of the Cleargie, whereto he addeth, sayinge: wherefore than should not Princes compell this lewde idle kinde of men to doo their duries? If you delight in antiquities (saith he) no man dothe doubt, but that in the primatiue Church, the Princes did iudge bothe of the Ecclesiasticall persones and causes: and did oftentimes make good Lawes for the truesh against falsehood. Arcadius and Honorius religious Princes doo depose a troublesome Bishop both fro his Bishoprike, see, and name. The .13. first titles of the firste booke of Iustinians Code, collected out of the Constitutions of diuers Emperours, doo plainly increate and iudge of those thinges whiche appertaine to the Bishoply cure. For what pertaineth more to the office of a Bishop, than Faith? then Baptisme? then the high Trinity? then the conuersation of Monkes? the ordering of Clergy men and Bishops? and then many like Lawes, whiche doubtles: doo concerne our Religion, and Church. But the Nouel Constitutions of the Emperour Iustinian are full of suche Lawes. And least peraduenture some man might suspect, that this was tyranny, or the oppression of the Church, Iohn the Pope doth satisfie this Emperour, the

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In repetit. lect.
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tia.

12. 9. 4

Temporall and spirituall, in so much that the Emperours then bestowed all the Ecclesiasticall benefices thorough the whole Worlde, and more, thei did choose the Pope, as it is in C. Adrianus dist. 63. And y^e same Petrus in an other place, saith thus: Marke after what sorte, and how many waies these Clergy mē, doo snare the Lay, and enlarge their owne iurisdiction: but alas miserable Emperours and secular princes, whiche doo suffer this and other thinges: you both make your selues sclaues to the Bishops, and yee see the worlde vsurped by them infinite waies, and yet yee study not for remedy, because yee geue no heede to wisdom and knowledge. As Petrus Ferrariensis attributeth both the swor-des, that is, both spirituall & temporall iurisdiction to y^e Emperour: So is Quintinus Reduus a famous professor of the law in Paris, & one that attributeth so much to the Pope as may be, & muche more than ought to be, saith y^e: In solo Principe omnis est potestas: in the Prince alone is al power, and thereto auoucheth this saying of Speculator, De iurisdic. omniū iudiciū: Quod quicquid est in regno, id esse intelligitur de iurisdictione Regis: that whatsoeuer is in a kingdom, that is vnderstāded, to be vnder the iurisdiction of the kinge. To which purpose he citeth an auncient learned one in y^e Law whose name was Lotharius, who, saith he, did say: That the Prince is the fountaine or wellspring of al iurisdiction, & protesteth also him selfe to be of y^e same minde: & writing of the kinges power in Eccl. matters or causes, he citeth this Canon Quando vult Deus smyth of the decrees, wherupon he as it were cōmenteth: saying, This is the reason wherfore, it is leaful for the Prince, some whiles to determine those thinges whiche concerne the Church, least the honesty of the mother (he meaneth y^e Church) should in any thing be violated, or least her tranquillity should be troubled specially of the, to whom she is cōmitted (meaning y^e Church Officers). If there be any other thing, this chiefly is an Ecclesiasticall matter, namely to call or cōuocate Cōncelles (saith Quintinus) But this is the opinion (saith he) of many learned men, that the Em-
perour

perour may cōuocate a general Cōucell, so often, and for any cause, when the Pope and the Cardinales be noted of any suspiciō, and doo for slowe and crasse, either for lacke of skill, or peradventure of some euill meaning, or of both, or els whā there is any Schisme. Cōstantinus (saith he) called the first Nicene cōucell, the other three generall Councelles, Gratianus Theodosius, and Martianus the Emperours called by their edict. Iustinianus called the fiste generall councell at Constantinople: the Emperour Constantine. 4. did cōuocate the sixte generall Councell against the Monothelytes. The authoritie of the kinge Theoderike cōmaunded the Bishops and Priestes forth of diuers prouinces to assemble together at Rome, for the purgation of Pope Symachus the firste. Carolus Magnus, as it is in our Histories, cōmaunded fine Councels to be celebrated for the Ecclesiasticall state, to wit, Moguntinum, Remense, Cabilonense, Arelatense, and Turonense. The Pope calleth the Bishoppes to Rome, or to some other place: the Kinge dooth forbidde them to go, or he commaundeth them to come to his Courte or Councell: the Bishoppes must obey the kinges precept, not onely in this case, but in any other matter what so euer besides synne: for he that dooth not obserue his bounden fidelitie to the kinge: whether he be a Bishoppe, Priest, or Deacon, is to be throwne forth of his degree or place. For the prouise whereof he citeth many Canons out of the decrees, and concludeth thus: to be brieft, this is mine opinion: when the kinge calleth together the Prelates to a Councell, and to reforme the state of the Church, they are bounde to obey, yea although the Pope forbidde it. The people doth amende or reforme the negligence of the pastour Can. vlt. dist. 65. Ergo, the Prince also may doo the same. If the Bishop will not, or doo for slowe to heare and to decide the controuersies of his Cleargy: the Bishoppe beyng slowe or caryng ouer longe, nothinge dooth hinder or stay (saith the Canon) to aske Episcopale iudicium, the Bishoply indgement of the Emperour. If it happen that the Priestes be not diligent about the Altar offices: if conuening the temple, neglecting the sacrifices, they hasten into kinges palayces, diuine to wastlinge places, doo prophane them selues in brothelles houses, and if they

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purge him selfe before the Emperour Valentinian. **Can. Mandatis.** so also Iohn. 22. Bishop of Rome was compelled by meanes of the Duties of Paris, to recante before the Frenche Kinge Philippe, not without triumphe, the whiche Io. Gerson telleth in a sermon, De Pafe. The Popes Heresie was that he thought, the Christian soules not to be receiued into glory before the resurrection of the Bodies. Cresconius a noble man in Sicilia, had authoritie or power geuen him of Pelagius the Pope, ouer the Bishoppes in that Prouince, oppressinge the Cleargie with vexations. **Can. Illud. 10. q. 3.** The whiche Canon of the law, the Glossar doth interpret to be written to a secular Prince. in **Ca. Clericum Nullus. 11. q. 1.** The Abbottes, Bishops, and the Popes themselves, in some time paste, were chosen by the Kinges prouision. **Ca. Adrianus. 63. dist.** And in the same Canon. **Hinc est etiam. 16. q. 1.** Gregorius wrote vnto the Dukes Rodolph, and Bertulph, that they shoulde in no wise receiue priestes defiled with whoredome or symony, but that they should forbidde them fro the holy Mynisteries. **§ Verum. 32. dist.** in whiche place the interpretours doo note, that Laymen sometimes may suspende Cleargymen from their office, by the Popes commaundement: yea also they may excommunicate, whiche is woorthy of memory. Hetherto Quintinius a learned lawyer and a great mainteinour of the Popes iurisdiction, hath declared his opinion, and that agreeable to the Popes owne Lawes, that Princes may take vppon them to gouerne in Ecclesiasticall matters or causes. Besides these Lawyers, this was the common opinion of the chieffest writers of the common Lawe of this realme, as appeareth by Braughton in these wordes: **Sunt & sub rege &c.** Vnder the Kinge are both free men and bondemen, and they be subiecte to his powre, and are all vnder him, and he is a certaine thing or creature that is vnder none but onely vnder God. And againe in the chapter the title whereof is this: **Rex non habet parem &c.** The Kinge hath no peere or equall in his kingdome: The kinge (saith he) in his kingdome hath no equall, for somight he lose

Braughton.
lib. 1. cap.
de Papa.
Archiepiscopis & alijs
praelatis.

his precepte or authoritie of commaundinge, siue that an equall hath no rule or commaundement ouer his equall: as for the Kinge him selfe ought not to be vnder man but vnder God, and vnder the La we, bicause the La we maketh a Kinge. Let the Kinge therfore attribute that vnto the La we, that the La we attributeth vnto him, to wit, dominion and powre. For he is not a Kinge in whome will and not the la we doth rule, and that he ought to be vnder the La we, Cum sit Dei vicarius, siue he is the vicar of God, it appeareth evidently by the likenes of Iesu Christe, whose vicegerent he is in earth: and within a litle after he concludeth thus: Igitur non debet maior esse eo in regno suo, Therefore there oughte to be none greater then he in his kingedome.

Thus haue I sufficiently proued, that the Emperours and Kinges, ought, haue, and maye claime, and take vpon them suche gouernemente, in Spiritual and Ecclesiastical causes and matters, as the Quenes of Palestine now dothe. In confirmation whereof I haue bene moze large, than other wise I woulde, but that the proufe here of doth reproue, and fully answere the p[ri]ncipal matter of your whole booke: and therefore I may vse moze b[ri]efnesse in that whiche followeth. I haue made proufe vnto you, sufficient to remoue your ignorance, both of the matter, and the way whereby to knowe, confessed by you in your *Minor Proposition*. And this haue I done by the selfe same Meanes, that you requyre in your issue. I haue made proufe of the Supream government in Ecclesiastical causes, to belonge vnto Kinges and Princes, by the expresse commaundement of God, where he did firste describe & set forth, the duety and office of Kinges. I haue made the same moze plaine and manifest, by the examples of the moste holy gouernours amongst Goddes people, as, Moses, Iosua, Dauid, Saloman, Iosaphat, Ezechias, Iosias, the Kinge of Babilonie, Darius, and Nabugodonosor;

donosoz: who exprest this to be the true meaning of Gods
 commaundement, by their practise hereof, so highly com-
 mended euen by the holy Ghoste: whereunto I haue ad-
 ded certaine Prophecies, sooth of Dauid & Esai: wherby
 it is manifestly proued, that the holie Ghoste dothe loke
 for, exacte, and challenge, this seruice and Supream gou-
 uernment in church causes, at Princes handes. I haue
 declared that the Catholique Church of Chryste, did ac-
 cept, and repute these histories of the olde Testament, to
 be Figures and Prophecies, of the like government and
 seruice, to be required of the Kinges, in the time of the
 New Testament: I haue confirmed the same by the
 manifest Scriptures, of the New Testament: Wher-
 unto I haue adioyned, the testimonies of aunclente Do-
 ctours, with certain examples of most godly Emperours,
 who beyng so taught by the moste Catholique Fathers
 of Christes Church, did rightly Iudge, that the vigilant
 care, ouersight, and orderynge of church causes, was the
 chiefest and best parte of their Ministerie, and seruice un-
 to the Lorde. I haue shewed plainly, by the order of
 Supream government in Church causes, practised, set
 sooth, and allowed, in the greatest and best Councelles,
 bothe Generall and Nationall: that the same order of
 gouernment, hath beene claimed and put in vse by the
 Emperours, and allowed, and muche commended by the
 whole number of the Catholique Bishops. I haue made
 plaine proufe hereof, by the continual practise of the like
 Ecclesiasticall government, claymed and vsed by the Kin-
 ges and Princes, euen vntill the time, that you your selfe
 did allowe, confesse, and preache the same many yeres
 togeather: All whiche, to your more contentacion here-
 in, I haue proued by those Historiographers, that wrote
 not onely before the time of Martyn Luther, leasse ye
 might

might suspect the of partialitie against you: but also suche in deede, as were for the most parte partial on your side, or rather wholly addide and mancipate to your holy Father: as, Platina, Nauclerus, Abbas Vrsurgensis, Sabellus, Aeneas Syluius, Volateranus, Fabian, Polychronicon, Petrus Bertrandus, Benno Cardinalis, Durandus, Paulus Aemilius, Martinus Pœnitentiarius, Pontificalis, Damasus, Polydorus Virgilius, &c. all your frendes, and whom you may trust, I warrante you, on their word, beyng the Popes swozne Massalles, his Chapplaynes, his Cardinales, his Chamberlaynes, his Secretaries, his Library keepers, his Penitentiaries, his Legates, his Peterpence gatherers, his swozne Monkes and Abbottes, as well as you, and some of them Popes them selues, whiche, your frendes say, can neither lye, nor erre from the trueth. And besides all these, the sowe pointes of your issue, accoꝝdinge to your requeste, pꝛoued at large, for the better redꝛsinge of you from willfull and malicious ignorance, to knowe and acknowledge y^e inuincible trueth hereof: I haue added to your Peticion, a fiste pointe, whiche you terme a worke of Supererogacion. For, to confirme my pꝛoufes with all, I haue produced for witnessses, your best learned although other wise Papishe, Ciuillian and Canon lawyers, who haue deposed directly on my side againste you: Namely D. Tunstall, D. Stokesley, D. Gardiner, D. Boner, D. Thirlbee, D. Decius, the Glossares vppon the Lawe, D. Petrus Ferrariensis, D. Io. Quintinus: to whome I might adde the Ciuilians and Canonistes that were in or towards the Arches in the latter ende of kinge Henry, and all the time of kinge Edward, with all the Doctors & Proctors of or towards the Arches at this time. Wherfore you will now I trust, yelde herein, & reken your selfe well satisfied, take vpon

you the knowledge hereof, and to be ready to testifie the same vpon a booke othe; for so haue you promised.

M. Fekenham.

The secōde
pointe.

The seconde chiefe pointe is, that I must vpon a booke othe, not onely testifie, but also declare in my conscience, that the Queenes Highnesse, is the onely Supream gouernour of this Realme, aswell in all Spiritual or Ecclesiastical things or causes, as Temporal. But vpon a booke othe to make any such declaration in conscience, it may not possible be without periury, before that a mans conscience be persvaded thereunto: and therefore (my conscience beyng nor as yet persvaded thereunto) I cannot presently without most plaine and manifest periury, receiue this Othe.

The B. of Wyndchester.

As there is no difference in matter betwixt these two Propositions, I Testifie in cōscience, and I Declare in conscience, althoughe to sēme subtile, you woulde haue the simple conceiue, by way of amplification much diuersitie: Euen so this which ye call the Secōde chiefe pointe, varieth no whitte in matter from the first, and therefore my former answere serueth to them bothe, if ye will needes make two in the we, of that in very deede is but one.

M. Fekenham.

And for the persuation of my conscience in this matter, I shall againe ioine this issue with your L. That if your L. or any other learned man of this vvhole Realme, shalbe able to proue, that our Sauour Christe in his Ghospell and Testament, did committe the supreme gouernement of all Spiritual and Ecclesiastical causes in his Church, not vnto his Apostles, beyng Bisshoppes and Priestes, but to Emperours and Empresses, Kinges and Queenes, beinge for the vvhole time of Christes abode here vppon the earthe, Idolatours and Infidels,

les, and so continued for the space of .300. yeeres after the Ascension of Christe: Constantine the Emperour beyng the very first Christian Kinge, that we reade of: when your L. shalbe hable to prooue this, eyther by sentence or halfe sentence, vvoorde or halfe vvoorde, of Christes Gospell and last Testament: Then I shall yeelde in this seconde poynte, and with most humble thanks, thinke my selfe well satisfied in conscience. And when your L. shalbe hable to prooue, that these vvordes spoken of the Apostle Paule at Milcetum, vnto the Bishoppes of Ephesus: Attendite vobis & vniuerso gregi, in quo posuit vos Spiritus Sanctus Episcopos, regere Ecclesiā Dei, quā acquisiuit Sanguine suo: Take heede therefore vnto your selues, and vnto the vvhole flocke of Christe, vvhich the holy ghost hath appointed or made you Bishoppes, to gouerne and rule the church of God, vvhich he hath purchased with his blood. VVhen your L. shalbe hable to proue, that these vvordes do not make so full and perfecte declaration, that the holy ghost had so appointed all spiritual gouernemēte of Christes flocke vnto Bishoppes and Priestes: But that Kinges, Queenes, or Princes, may haue some parte of Spirituall gouernment with them, or rather take the Supremacy and chiefe parte of Spirituall gouernment from them: I shall then yeelde, and thinke my selfe in conscience well satisfied, touching the saynge of S. Paule.

Constantine
the firste
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Act. 20.

The B. of Wyndchester.

That our Saviour Christe hath committed, the Supreme gouernment in al Spiritual or Ecclesiastical causes, to the Magistrates and Princes, is already proued, by perfecte woordes & whole sentences of Christes Gospell, and last Testament: & therfore if your stay hitherto, hath bene of conscience vnpersuaded through want of knowledge, & not of peruerse opinion, maintained with vaine dyspze of gloze and reputation, you must needs yeelde, & be well satisfied in conscience. You auouch this argument as inuincible. The Emperours & Emperresses, Kinges & Queenes, were for the whole time of Christs abode here

here vpon the earth, idolatours, and infidels, and so continued by the space of. 300. yeeres after the Assension of Christ: *Constantinus* the Emperour beinge the very firste Christia king that we reade of, Ergo, our Saviour Christ did not committe the supzeme gouernement in Spiritual or Ecclesiastical causes to Emperours, kings, & Princes. This argument holdeth good, neither in mater nor yet in formes. There was in the time of Christes aboade here vpon earth, if we may beleue *Eusebius* and *Nicephorus* the Ecclesiasticall histoyrians, a king in *Edeffa*, whose name was *Agbarus*. This king beleued in Christe, as *Eusebius* reporteth, although as yet weakely. In his epistle which he wrote vnto Christe, he saluteth Christe, to be Iesus the good saviour: he thinketh by y^e miraculous workes, which he hath herde doon by Christe, that he is either God hym selfe, or els Goddes sonne: and he offereth vnto Christe suche frutes of thankesfulnes, as so yonge and tender a faith, might for the time, bryng forth. And Christ in his rescript vnto *Agbarus*, affirmeth that he was no infidel or idolatour, sayng: *Beatus es quod in me credidisti, cum non videris me: Agbare thou art blessed, because thou hast beleued in me, when thou hast not seen me.* Besides this your owne selfe, haue affirmed oftentimes, and so doth your Popishe tales declare, that the thzee wise men, that came forth of the East, to worshop the newe bozne king of the Jewes, were kinges, and lie buried in the great doom at Colayn, as the Colonistes makemen to beleue, called yet amongst the vulgar Papistes, the thzee kinges of Colayn. If there be any credite to be geuen, to the narracion of *Eusebius* and *Nicephorus*, touching *Agbarus* king of *Edeffa*, and to the commonly receiued opinion of your Popishe Church, concerning the thzee kinges of Colayn, these sower, were kinges in the time of Christes aboade here in earth, and yet not idola

idolatours nor infidels, all the whole time of Christs a-
 boate here, but faithfull worshippers of Christ: Whereby
 the former part of the matter in the antecedēt of your ar-
 gument is disproved. Neither is that true, whiche you
 put in the seconde part, that the Emperours and kinges,
 continued idolatours for y space of 300. yerres after Christ?
 Assention: For although for the mosse part, during that
 space, they were suche, yeat was there in that time some
 godly Princes that were otherwise geuen. *Eusebius* in his Li. 6. ca. 34.
Ecclesiasticall history, maketh mention of one *Philippus*, a
 mosse Christian Emperour, of whom, and his sonne also,
 being Emperour with him, *Abbas Vissurgensis* witnesseth,
 that they were the first of all the Romaine Emperours,
 that became Christians, who also declared by their deedes
 and woꝝkes, (as *Abbas* saith) that they had in thm the
 feare of God, and the mosse perfect Christian faith. *Con-*
stantinus also the Emperour, father to *Constantine* the
 great, did mosse diligently of all others, seeke after Gods
 fauour, as *Eusebius* writeth of him. He did prouide by his Lib. 1. De
vit. Const.
 gouernement, that his subiectes did not onely enioy great
 peace and quietnes, but also a pleasant conuersation in holines,
 and deuotion to wardes God. Idolatours and dissemblers in Religion, he
 banished out of his Court: and suche as confessed Goddes trueth, he
 retained and iudged mosse worthy to be about an Emperour, commaun-
 ding suche to haue the garde, both of his persone and dominton. He
 serued and worshipped the onely true God. He condemned the multi-
 tude of Goddes that the wicked had. He furnished his house with the
 prayers of holy and faithfull men; and he did so consecrate his Court
 and Palace, vnto the seruice of God, that his housholde company, was
 a congregation or Church of God within his palace, hauing Goddes
 mynisters, and what soeuer is requisite for a Christian Congregation.
Polidorus in his history of Englande, affirmeth also of this Lib. 2.
 Emperour, that he studied aboue all other thingen to en-

Aa

create

create the Christian Religion, who after his death was reckened in the number of sainctes. To these few we adde Lucius a king of our owne countrey, who although he was not in might comparable to Constantine the mighty Emperour, yet in zeale towards God, in abolishing idolatry and false Religion, in winning and drawing his subjects by all meanes to the Christian faith, in mainteining and defendinge the sincere Christianitie to the uttermoste of his power, he was equall with Constantine, and in this point did excell him, that he longe before Constantine brake the Ice, gaue the onsette, and shapte a patern for Constantine to followe, whereby to worke that in other partes which he had achieued within his owne dominio.

This noble king, of very loue to true Religion, as Polydore testifieth of him, Procured him selfe and his subiectes to be Baptised, caused his nation to be the first of all other Prouinces, that receiued the Gospell puplicly, did drawe his people to the knowledge of the true God, banished at ones all manner of prophane worshipping of Goddes, and commaunded it to be lefte. Conuerted the tempels of the idolatours, to be Churches for the Christians. And to be short, he employed and did bestowe all his seruice and power moste willingly to the furtheraunce and encrease of the Christian Religion, whiche he planted moste sincerely throughout his countrey: and so lefte it at his death, almoste an hundred yeres before Constantine was Emperour: and therefore vntreuely sayed of you, that Constantine was the very first Christian kyng, that topped his sworde to the maintenaunce of Gods worde.

Withe this king Lucius, so longe before Constantine, did not onely these thinges, that Polydore ascribeth vnto hym, but also did them of his owne authoritie, without any knowledge or consent of the Pope. As Eleutherius then Bishop of Rome, to whome after wardes king Lucius did write, to see some of Caesars and the Romaine Law, was any thing

thing offended with the kinges doinges, but greatly commending him therein, coucelled him not to stand vpon the Romain lawes, whiche, saith the Pope, might be reprehended: but as he began without them, so to go on, & draw Lawes alonely out of the Scripture, which afterwarde moze at large, the Saxon kings, as, June & Aluredus did.

The epistle of Pope Ekeutherius to king Lucius is, as foloweth, Petistis a nobis, &c. You haue desired of vs, that the Romaine Lawes, and the Lawes of Caesar, might be sent ouer to you, the whiche ye would haue vsed in (your) kingdome of Brytanie. VVe may at al times reprove the Romaine Lawes, and the Lawes of Caesar, the lawe of God we can not. For ye haue receiued of late (by the deuine mercie) in your kingdome of Brytanie, the Lawe and faithe of Christe. Ye haue with you in (your) kingdome, both the olde and newe testament: take out of them the Lawe (by the grace of God) through the counsell of your kingdome, and by it (through Gods sufferance) I shall ye rule (your) kingdome of Brytanie, for you are the vicar of God in (your) kingdome, according to the Prophet king: The earth is the Lordes, and all that therein is, the compasse of the worlde, and they that dwel therein. And againe, according to the Prophet king: Thou haste loued righteousness, and hated iniquitie, wherfore God, euen thy God hath anointed thee with the oile of gladnes aboue thy fellowes. And againe according to the Prophet king: geue the king thy iudgement O God, and thy righteousness vnto the kings sonne. For it is not: geue the iudgement and righteousness of Caesar, for the Christian nations and people of (your) kingdome, are the kings sonnes, which dwel and consiste in your kingdome vnder your protectiō and peace, according to the Gospell euen as the henne gathereth together her chickens vnder her winges. The nations in deede of the kyngdome of Brytanie, and the people are yours, and whome, beinge deuided, you oughte to gather together, to concorde and peace, and to the faithe, and to the Lawe of Christ, and to the holy Churche, to reuoke, cherishe, mainteyne, protecte, rule, and alwaies defende them, both from the iniurious per-

sons and malicious, and from his enemies. VVoe be to the kingdome whose kinge is a childe, and whose Princes banquet carely, a kinge I name not for his smale and tender age, but for folly and wickednes, and madnes, according to the Prophet king: bloudthirsty and deceitful men, shal not line out halfe their daies. By banqueting, we vnderstand glotonie, through glottony, riotousnes, through riotousnes all filthy and euill thinges, according to kinge salomon: wisdome shal not enter into a froward soule, nor dwell in the body that is subdued vnto sinne. A king is named of ruling and not of a kingdome, so long as thou rulest wel, thou shalt be kinge, whiche vnlesse thou doo, the name of a king shal not consist in thee, and thou shalt lese the name of a king, whiche God forbidde. Almighty God geue vnto you, so to rule your kingdome of Brytany, that ye may reigne with him for euer, whose vicar ye are in the kingdome aforesaide. VVho with the father. &c.

Thus it is made manifest, that bothe your argument faileth in truthe of matter, and you your selfe were beguiled through ignorance, by wante of reading. But put the case that your antecedent were true, yet is it a faulty fallax made à dicto secundum quid, ad simpliciter, and the consequent followeth not, for that there is more contained in the conclusion, than the antecedent doth comprehend, whiche is suche an euill fauoured forme of argument, that yonge studentes in the scholes would be ashamed thereof. The Donatistes made the like obiection against the catholique fathers, wherto S. Augustine maketh this answer. The state of the Apostles time, is other wise to be thought of, than this time, all thinges must be doon in their time: In the Apostles time, this prophecie was yet in fulfilling: wherfore do the Heathen rage, and the people muse vpon vaine thinges? The kinges of the earth set them selues, and the Princes consult together against the Lorde and his Christ. As yet that was not in hande whiche is spoken a litle after in the same psalme: and now ye kinges vnderstand, be learned ye Iudges on the earth, serue the Lorde in feare, and ioy in him
with

Epist. 50.

Psalm. 2.

with reuerence. Therfore seying that as yet in the Apostles time, Kinges serued not the Lorde, but still did deuise vaine thinges against God and his Christ, that all the foresayings of the Prophete might be fulfilled, than truly impieties could not be inhibited by princes Lawes, but rather be mainteyned. For suche was the order of the times, that both the Iewes shoulde kill the preachers of Christe, thinkinge to doo God good service therein as Christ had forspoken: and also the gentiles shoulde rage against the Christians, that the martirs might winne the victory thorough patience. But after that this began to be fulfilled whiche is written: And al the kinges of the earths shall worshipping him and all the nations shal serue him: what man onlesse he be not well in his wittes, will say that Kinges ought not to haue a speciall regarde for the Church of Christe, and all manner godlines amongst their subiectes? You frame an other reason vpon S. Pauls wordes vnto the Bishops of Ephesus: whereby to proue, that all gouernement in spirituall or ecclesiastical causes, belongeth to Bishoppes and Priestes, and not to Princes, and Ciuill Magistrates, thus you argue: The holy ghost appointed all spirituall gouernement of Christes flocke vnto Bishops & Priestes, as the wordes spoken by S. Paule, do make full and perfecte declaration: Ergo, Kinges, Quenes, and Princes, may not claime or take vpon them any parte of Spirituall gouernement, much lesse take the supremacie, and chiefe parte of spirituall gouernement from them. For answere, I denie this argument, for it is a naughty and deceitfull Sophistication, called, *fallacia equiuocationis*. There is equiuocation in this worde (Priestes) and also in these wordes to gouerne and rule the Church of God. This worde priest, hath diuerse significacions which are to be obserued: least the simple readers be confirmed or brought into error thorough the equiuocation therein. The Scripture speaketh of a priesthood after the order of Aaron: after whiche order you will not confesse the Apo-

Psalme. 71.

Hebr. 7.

fles, and the Bishoppes their successours to be Priestes,
 an other kinde of Priesthooe is, after the order of Melchise-
 deck, and Christe onely without any successour in y Priest-
 hood, was the alone Priest of that order. The thirde kinde
 is an holy and princely Priesthooe, of the which order not
 onely the Apostles and their true successours, but also
 Kinges, Quenes, Princes & al manner of faithfull Chri-
 stians are Priestes. There is in comon opinion amongst
 the Papistes, a fourth kinde, which is a massinge & sacrific-
 ing priesthooe: after which order, Christes Apostles, & the
 true mynisters of his Church were neuer priests: for y or-
 der belongeth onely to y Apostolical Clergy of y Romishe
 Antichrist. If your meaning therfore be, y Christ left any
 kinde of government or rule of his Church to Bishops &
 Priestes, after this popishe order, your opinion is hereti-
 call, & your assertion utterly false. Therfore where I shall
 afterwarde in my speaking cal the mynisters of Christes
 Church, Priestes, I geue you to vnderstande, y I do therein
 but followe vsuall, & accustomed kinde of speache which is
 impopre although in longe vse. Likewise to gouerne and rule
the Church of God: is of two kindes & sortes, the one is by y
 supzeme authozity & power of the sword, to guide, care,
 prouide, direct & ayde Gods Church, to further, mainteine
 & set forth the true Religion, vnitie & quietnes of Goddes
 Church: & to ouerse, visit, resourne, restraine, amende &
 correct all manner persones, with all manner errours, su-
 perstitions, heresies, schismes, abuses, offences, contemp-
 t & enormities in or about Gods Church. Which govern-
 ment & rule apperteineth onely to Kinges, Quenes, and
 Princes, and not to the Apostles Bishops and Priestes:
 wherof S. Paule speaketh nothings at al in this sentence
 by you alledged to the Bishops of *Ephesus*. The other sorte
 is to feede the flocke of Christ with the spiritual food of
 Goddes

Goddes worde, which is the onely rule and gouernment
 that belongeth to the Apostles, Bishops & Ministers of
 Christs Church, & of none other manner rule speaketh
 S. Paule to the Bishops of *Ephesus*, which he maketh most
 plaine, both by y^e expresse wordes of y^e sentence auouched,
 & also by the whole circumstance of the same place. The
 worde y^e S. Paule vseth, doth properly signifie to feede, as
 the sheapeherde feedeth his sheepe, & by a figuratiue speech
 to guide, gouerne or rule: & therefore if you would haue
 dealt plainly, and haue vttered S. Pauls meaning accor-
 ding to his propre speache, where you say, To gouerne and
 rule, doubling the wordes as it were to amplifie the mat-
 ter, that the truth might lesse appeare, you ought to haue
 saide, *to feede the Church of God*, for that is the Apostles pro-
 pre saying, & so the olde translatour of Chrysostome doth
 translate it vpon the Epistle to y^e Ephesians & also expou-
 ding this same place of the Actes of y^e Apostles, vi pascaris
Ecclesia, to feede the Church. S. Peter making the like exhor-
 tation, to this of S. Paule, to the Bishops dispersed, vseth
 y^e selfe same worde, saying: *Pascite quantum in vobis est gre-*
gem Christi: Feede so muche as you may, the flocke of Christ. Christ
 him selfe also teachinge Peter, & all other Bishops, what
 manner of rule & gouernment, as properly geuen them by
 Gods worde, they should haue in y^e Church, doth expresse
 it, with y^e selfe same worde, saying: *Pasce agnos meos, feede*
my Labe. To rule & gouerne the L. household faithfully and
 prudently, Christ expoundeth to be nothing els in general,
 tha to geue meate vnto his family in due season. Neither
 did our sauour Christ geue other power, authoritie or co-
 mmissio vnto his Apostles, & so to al other Bishops as pro-
 perly belonginge and onely to the Bishoply office, then
 this: *As my Father sente me, so I sende you, receiue the holy ghost*
whose sinnes yee remit, they are remitted, whose sinnes yee retaine, they
are

Cap. 4.
 Act. 24.

Ioan. 21.

Math. 24.

Ioan. 20.

Math. 23.

are reteyned, goo therfore and teache all nations, Baptizinge them in the name of the Father, and of the Sonne, and of the holy Ghost: teachinge them to obserue all thinges, that I haue commaunded you. So that the Bishoply rule and gouernment of Gods Church, consisteth in these thre pointes, to leade the Church with Goddes worde, to Mynistre Chyistes Sacramentes, and to binde and lose: all whiche thre partes, Chyist comprehendeth vnder this one saying: to geue meate to the Lordes family in due season. And S. Paule in these wordes, to feede the Church of God. The circumstance of the sentence whiche you alledged forth of the Actes, doth also shewe in the example of Paule him selfe, who was inferiour to none of the Apostles, and Church mynisters in any point, that he claimed or toke vppon him none other rule or gouernment, than of feedinge Goddes Church with the spiritual foode of the Gospell. He setteth forth the execution of his owne office, and by that example moueth the Bishoppes of Ephesus to the like, sayinge: I haue serued the Lorde with all humblenes of minde: I haue leaft nothinge vndoone, that might be profitable to you: but I haue declared and taught you openly and priuely the repentaunce and faith in God, and Iesus Chyiste. I receyued an office of mynistry from the Lorde Iesus, to testifie the gospell of Gods grace and to preach the kingdome of God. I haue hidden nothinge of Goddes counsell from you. Take heede therfore to your selues, and to Chyistes flocke (as I haue done) whereof the holy Ghost hath appointed you Bishoppes (as he did me) to feede the Church of God; (as you knowe and see that I haue done). This that you call to gouerne and rule, was with Paule to serue with lowlines, to mynistre with watchefulnes: to preach, teache and testifie the Gospell, and the kingdome of God publikely and priuately, and to shewe, to the flocke all the Counsell of God, touching their saluation, keepinge nothinge thereof backe from them. To gouerne the Church of God after this sorte belongeth to the onely office of Bishoppes

shoppes and Church ministers, and not to Kinges, Queenes and Princes, who may not, neither doe, claime or take vpon them, this kinde of spirituall gouernment and rule, or any part thereof with the Bishops, neither doe they take the supremacy and chiefe parte of this spirituall gouernment from the Church ministers. As contrary wise the Church ministers, ought not to claime and take vpon them the supremacy of gouernment, as the Papistes of longe time haue done from Kinges, Queenes, and Princes.

M. Fekenham.

And vvhā your L. shalbe hable to prooue that these vvoordes of the Apostle Paule, and by him vvriten in his Epistle vnto the Hebrevvē: Obedite praposis vestrīs & subiacete eis, ipsi enim peruigilant, quasi rationem pro animabus vestrīs reddituri, vt cum gaudio hoc faciant, & non gementes. Doo yee obey your spirituall gouernours, and submitte your selues vnto them, for they wathe, as men whiche muste geue accompt for your soules: that they may doo it with ioye, and not with grieve. VVhā your L. shalbe hable to proue, that these vvoordes vvē not vvriten of the Apostle Paule, asvvell for all Christian Emperours, Kinges and Queenes, as for the inferiour sort of people, than shall I in like maner yelde touchinge that text of Paule, and thinke my selfe very vvell satisfied.

Heb. 13

The B. of Winchester.

No man hath or dooth denie, that the Church ministers hath to gouerne the flocke by preachinge, and seeinge with the worde, which is the rule or gouernment, that Paule speaketh of in this place also: whereto all Princes are and ought to be subiecte and obedient. For this subiection and obediēce, to the worde of the Gospel, taught, and preached by the Bishoppes, sittinge in

B b

Christes

Christs charge, whiche is the whole rule and gouernement they haue or ought to clayme as propre to their callinge is commaunded so well to Princes, as to the inferiour sorte of the people, as you say truely, although your cause is no deale holpen, nor my assertion any whit improved thereby.

M. Fekenham.

1. Cor. 14.

And vvhhen your L. shalbe hable to proue that these vwoordes of Paule. Mulieres in Ecclesijs taceant &c. Let the women keepe silence in the Churche: for it is not permitted vnto them there to speake: but let them liue vnder obedience lyke as the Lawe of God appointeth them, and if they be desirous to learne any thing, let them aske their husbandes at home, for it is a shamefull and rebukefull thinge for a woman to speake in the Churche of Christe.

Gene. 3.

VVhan your L. shalbe hable to proue, that these vwoordes of Paule, were not asvuell spoken of Queenes, Duchesses, and of noble VVomen, as of the meane and inferiour sorte of vwomen: Like as these vwoordes of almighty God, spoken in the plague and punishment first vnto our mother Eue for her offence, and secundarily by her vnto all vwomen vwithout exception, vidz. Multiplicabo xumbras &c. I shall encrease thy dolours, sorowes and conceyunges, and in payne and transyle, thou shalt bringe forth thy children, and thou shalt lyue vnder the authoritie and power of thy husbande, and he shall haue the gouernement and dominion ouer thee. VVhan your L. shalbe hable to proue, any exception to be made either in these vwoordes spoken in the olde Lawe by the mouth of God: either in the vwoordes before spoken of the Apostle Paule in the new: than I shall in like manner yelde, and vvith moste humble thanks, thinke my selfe very vvell satisfied in conscience, not onely touchinge all the afore alleadged testimonies, but also in this seconde chiefe pointe.

The B. of Winchester.

I do graunt the wordes of the holy Scriptures in both

bothe these places to be spoken to all states of women without exception? But what make they for your purpose, how doo they conclude and confirme your cause? Women muste be silent in the Church, and are not permitted to speake: What is as your owne doctour Nicol. de Lyra expoundeth it, *Women muste not teache and preache the doctrine in the Church, neyther dispute openly*: Therefore our Saviour Christe did not committe to Kinges, Quenes and Princes, the authoritie to haue and take vpon them any parte of gouernement in Ecclesiasticall causes. As though a younge Prouice of your Punkshe order shoulde haue argued: Punnies muste keepe silence, and maye not speake in the Cloystre, nor yet at dinner time in the fraytry: therefore your deceyuer the Pope did not committe authoritie to his Prouincialles, Abbottes, Priors, and Prioresses, to haue and take vpon them the gouernement vnder him selfe in Punkshe and Punnishe causes and matters: What man woulde haue thought Maister Feckenham to haue had so litle consideration, although vnlearned, as to vouch the silence of women in the Church, for a reason to improue the authority of Princes in Church causes?

M. Feckenham.

The thirde chiefe pointe is: that I must not onely svveare vpon the Euangelistes, that no forayne personne, state or potentate, hath or ought to haue any povver or authority Ecclesiasticall or Spirituall vvithin this Realme: but also by vertue of the same Othe, I must renounce all forayne povver and authorities vvhiche for a Christian man to doo, is directly againste these twoo Articles of our Crede. Credo sanctam Ecclesiam catholicam: I doo beleene the holy catholique Church. Credo Sanctorum Communionem: I doo beleene the Communion of Sainges. And that there is a participation and commu-

The thirde
pointe.

B b 2

nion

1. Theff. 5.

nion amongst all the beleeuers of Christes Church, vvhiche of the Apostle Paule are called Sainctes. *Adiuro vos per Dominum vt legatur hæc Epistola omnibus sanctis fratribus.* And herein I doo ioine this issue vwith your L. that vvhā your L. shalbe hable to proue by Scripture, Doctour, Generall counsell, or by the continuall practise of any one Church, or parte of all Christendome, that by the firste article, I beleene the holy catholic Church, is meante onely, that there is a Catholique Church of Christe, and not so that by the same Article, euery Christian man is bounde to be subiect and obedient to the catholic Church, like as euery member ought to haue obedience vnto the vvhole mysticall Body of Christe. And further vvhē you shalbe hable to proue by the seconde Article: I doo beleene the Communion of Sainctes, is not so meante, that a Christian man ought to beleene suche attonement, such a participation and communion, to be amongst all beleeuers and members of Christes catholic Church in doctrine, in Faith, in Religion, and Sacramentes, but that it is lawfull for vs of this Realme therein to dissent frō the catholic Church of Christe dispersed in all other Realmes: and that by a corporall Orde it is lawfull for vs to renounce, and refuse to haue communion vwith the catholic Church so dispersed, bicause it is a forrayne authoritie and powver out of this Realme: vvhē so euer your L. shalbe hable to proue this, by Scripture, Doctour, Generall counsell: or yet by continuall practise of any one Church, or parte of all Christendome: Than shall I in like manner, yelde in this thirde point, and vwith moste humble thanks, shall thinke my seife very vvell satisfied therein.

The B. of Wynchester.

This thirde chiefe point is nothing els, but a mishapened lump of wordes: conteininge firste an argument grounded vpon a kinde of Opposition, that no wise or learned man euer redde of, but is newly forged and hammered out of your owne bzaîne: Then, an issue, to haue me proue that thinge, whiche beinge rightly vnderstande

ded no Christian doth doubt of, or will denie. And last of all, an huge heape of flatts and manifest Lies against the whole Realme, to set a good face vpon an euill fauoured cause, whiche can finde no helpe or ease by plain and simple truth. The weighty burden, that you are loden with & can not beare, is that you must by othe renounce all sozreine power and authoritie: the cause that maketh you fainte and feble, is, that it is directly against two articles of our Creede: So that your feble reason is groundd after your simple skill vpon the place, ab apofitis & pugnantibus. Before I aunswere to the argument, I will put the Reader in remembraunce of the denision whiche you make, chopping & chaunging one article into twaine, to make some shewe of an heinous matter. Surely it were ouermuche detestable, if you were moued to sweare but against one article of our Creede, as yee were neuer moued by me, either to or fro, to sweare any thing at all. There be three symboles or Creedes, whiche haue been allowed and receiued of Christs catholique Church. The symbole of the Apostles, of the Nicen councill, and of Athanasius. The Apostolicall is so called, because it was collected (as some saye) by the twelue Apostles, and therefore conteineth (as the comonly receiued opinion is in Christ Church) according to the number of the .xij. Apostles, but twelue articles, whiche are called in the vsuall speche of the catholique Christians, the twelue articles of our Creede or beliefe. If this, I beleue the communion of saintes, be a seuerall article from this, I beleue the holy catholique Church, as you doo phantasie, then there must needes be at the least thirtene articles of the Creede, contrary to the vniuersally receiued opinion of the catholique Church. You were wont to stape your selfe much vpon the custome of the catholike Church, and woulde vrge it fly, although not so

Clemens in
compéd. de
fide.

truely the vniuersally received opinion of the catholique Church, as a matter that might not bee reiected, or denied: and howe chaunceth it now, that you are become suche a changeling, that cleane contrary to the vse of the catholique Church, whiche acknowledged but twelue, you wil make thirtene articles of the Creede at the least? Besides this, the catholique Church in the time of Cyprian and Augustine, and befoze also, did not reken or iudge these to be twoo severall articles, but did coumpte them one article, concluding these woordes, *the communion of saines*, in this sentence, *I beleue a catholique Church of Christe*, recyting the Symbole without rehersall or mentioning, *the communion of saines*, as it is plainly set forth by S. Cyprian and Augustine, in their expositions of the Apostolicall Creede. The matter meant by *the communion of saines*, is vttered in these woordes: *I beleue an holy catholike Church of Christ*. Wherunto hath been added sence these aunient fathers times, as it may seeme by the way of explication, *a communion of saines*, to expresse in plainesse of speche, that Christes catholique Church, is nothing els, but a felowshippe, and communion of faithfull ones, whiche are saines. Nowe let vs see howe to sweare, as this thirde chiefe point of the othe setteth forth, is directly against this article of our Creede, *I beleue the holy catholique Church, the communion of saines*. All true subiectes ought and must renounce and forsake all foraine iurisdicions, powers, superiortie, preheminences and authorities of enery foraine Prince, and Prelate, state or Potentate. This is the proposition of that part of the othe: to the whiche adioyne this proposition, all true subiectes ought and must beleue, *an holy catholique Church of Christe, the communion of saines*. Espey nowe what opposition is betwixt these two propositions, & they may not both matche together

together, and be verified in one true and faithful subiecte. The one, say you, is directly against the other. When I saye I, there is a direct opposition & repugnancy betwixt them, by due examination we shall finde out the opposition. Trye the partes of these propositions severally without the verbe that coupleth them together, and you shall not find any opposition, either *contrary relative, privative, or disparate*: ioyns them together with the verbe that coupleth, & being propositions, they are not one against the other *contrary, subcontrary, subalterne nor contradictory*, and therfore vntruly, & no lesse vnskillfully babled of you, that the one is directly against the other, when a *yong scholer* that hath red but the rudimentes of his Logike, could haue seen & iudged, that there is in them no opposition or repugnancy at all. To renounce and forsake Antechrist & his Church by othe or otherwise, and to beleue in Christe and rightfully to acknowledge his holy catholique Church by all maner of wayes, standeth neither directly nor indirectly one against the other, but are matched together & agreeth iumpe one with the other. Surely your eyes were not matches, neither were your wittes at home, when you spied out this repugnancy, if you had not published this learned piece of woork, your friendes should neuer haue knowen, what an huge heape of conning & knowledge, is hidden in that little head of yours. The demaunde in your issue is easely proued by the description or definition of Christes true Catholique Church. The catholique Church of Christe is a multitude, societie and communion of Saintes and faithful ones, that haue been, shalbe, and are nowe on liue in the earth, how and wheresoeuer they be deuised, and dispersed in time and place, the whiche multitude of Saintes, haue a participation in common amongst themselves of all good thinges, geuen, graunted, and growing from

The definition of the catholique Church.

from God through Christ, of spirite, faith, Sacramentes, prayer, remission of sinnes, and heavenly blisse: and are vnited to Christ their head by faith, and fastened together amongst them selues, as members of one body with the bond of loue. To this catholike church, every Christiā man is bounde to bee subiecte and obedient as a member ought, and may be subiect and obedient to the body.

And we doo teache and confesse in this Church suche an attonement, participation, and communion, among all the members in doctrine, faith, Religion, and Sacraments, that neither this, nor any other Realme, may lawfully dissent from this Church, or renounce and refuse to haue communion therewith, as God be praised we of this Realme doo now shewe our selues by al Christian meanes, neuer more at any time, to agree and consent in the vnitie of this catholike Church, in necessary doctrine, right faith, true Religion, and the right vse of Christes Sacramentes. The foule lies that you heape together, where with shamefully to despoile your owne nest and native countrey, needeth none other confutation, than onely to make them playne to be seen and indged of all men, that the Realme may be soze, that euer it nestled so vnnatural and filthy a byrde, and your friendes ashamed of so malicious and impudent a Liar. This is a lewde Lie, that this Realme dissenteth from the catholike Church in the forenamed pointes. This is a shameful Lie, that by corporal othe or any other wayes, we renounce and refuse to haue communion with the catholike Church of Christe. And this is a monstrous Lye, that the catholike Church is a sozaine authoritie and power out of this Realme. Who was euer so madde, as ones to thinke, or so doltish as to speake any thing against the catholike Church, but specially to forsake it, and that because it is a sozaine power and au-

and authoritie. The Othe maketh no mention in any one worde, of the Catholique Church, it speaketh of a foraigne Prince, Prelate, and Potentate, and so of the foraigne Power and Authoritie of suche a foraigne state. Whereupon M. Fekenham concludeth as it were by Revelation, in a Monkish Dreame, without rime or reason, that therfore the catholike Church is forsaken, as though there were no difference betwixt a foraine Prince, or prelate, and the Catholique Church: or that the Catholique Church might be called a foraine Power, or a foraine authoritie to a Christian Realme. This is suche a newe kinde of Diuinitie as was neuer hearde or redde of in any wryter, no not in the Legende of Golden Lyes.

M. Fekenham.

The fourth and laste pointe is, that I must swyre to the obseruation of this Othe, not onely to the Queenes highnes and our soueraigne Lady that now is, but also vnto her heyers and successours Kinges and Queenes of this Realme. And because euery Christian man ought to be carefull to auoide periury therein, I woulde right gladly knowve, that if any her highnes successours shoulde by the refusall of the saide title of supremacy, binde her subiectes by the like statute lawe vnto the cleane contrary (experience vvhenceof vvas of late made here in this Realme) that it is yet freshe in the memories of al men: In this case I woulde right gladly knowve, vvhath authoritie is hable to dispence againe vvith this Othe. And if there be none at all, then the subiectes of this Realme in this case are bounde and that by booke Othe, to liue in a continuall disobedience to the Lawes of their soueraigne Lorde or Lady, Kinge or Queene: the case vvhenceof is very Lamẽtable. And Christian charitie woulde, that it should be foreseene and provided for. And for mine ovvne parte being further touched herein than I haue yet expressed) my very trust and hope is, that the charity of this our nevve reformed church here in this realme, shal not be foude so colde and short, as in providing so sharpe lawes, and paines of death to force men to take this Othe, of the Q.

The fourth
pointe.

¶

Highnes

Highnes Supremacie, but that it vvill prouide also such meanes and vvaies, vvhereby the subiectes may receiue the same vvith false conscience, and vvithout all periury. And in so doynge, I shall moste vvillingly submitte my selfe, and receiue also that parte of the Othe. And shall further thereupon set ffooth the Q. Highnesse Supremacy vvith all Titles and Prærogatiues, bothe by penne and vvoorde of mouth, and that vvith as desirous harte, and glad vvil as any subiect that is this day liuinge in hir highnesse Realme. So that of the premises ye may vvell vnderstande, that there is in me no other cause of staie, touching the later parte of this Othe, then very Conscience. And that I vvoulde before right gladly knowve (touching these forenamed pointes) hovve I mighte svveare vnto them, and not committe periury therein.

The B. of Wyndchester.

Iob. 3.

As euery Ch�istian man ought to be carefull to auoide Periury both in this & al other matters: even so wise men may wel knowe what you meane by the conditional case ye put, of the refusal by hir highnesse Successours of this Title: whereto the Holy Ghost maketh you this plaine answer: *spes Hypocrita peribit: The Hypocrites hope shall perish.* You spzinkle this doubtful case, with a powder of late experience, which seasoneth your matter, *De facto, non de Iure.* For it is not lawfull for any ch�istian Prince to refuse this Supremacy, which is the best part of his princely Ministry, & seruice vnto God. Neither may he moze binde his subiectes by lawe to become swworne to the Pope and Popery, than to the great Turke and Turkery. For that the Pope is a moze perillous ennemie vnto Ch�iste, than the Turke: and Popery much moze Idolatrous, then Turkery. And therfore there is no humaine authoritie, that can dispce with the violatiō of this lawfull Othe, made of duty vnto the Ch�istian Prince.

This is a lametabie case I graunt, that subiectes should
live

lyue in cōtinual disobedience to the Lawes of the Prince, whether it happen for that the Lawes be so vngodly, that a Christian subiecte may not with good conscience obeye them (experience whereof was of late made here in this Realme.) Or for that the stubboznesse of the subiect main-
teyned with a wicked, and yet a vaine hope, be so stiffe, that wilfully he lyueth in a continuall disobedience to the Godlye lawes of his soueraigne, whercof experience is made nowe at this time in you, and a fewe others of your conspiracy. There is good cause, why yee shoulde haue your very trust and hope (as you say yee haue, howe vn-
gratiously so euer yee thinke) assured of the charitie of our Church newly reformed after the rule of Goddes word, wherat yee Popishe swyne grunte & groyne. For you, in your owne selfe, haue perfecte experience, that the Supream gouernour vnder Christe of this Realme, follo-
winge the example of his heauenly Father, doth bounti-
fully, of his goodnesse, with muche more patience, and longe sufferinge, allure you to dutifull repentance. And hath further prouided sundry meanes and wayes, where-
by to remoue your wilfull ignorance, and to endue you with sufficient knowledge of the trueth, howe ye mighte with salte conscience receiue this dutifull Othe of a true subiecte, without all periury.

M. Fekenham.

HERE foloweth the Resolutions of the
aforesaide Scruples, made by my L.
Bis hop of VVinchester.

For a resolute ansvvere to all the saide Scruples, expressed in the forenamed poinctes, his L. saide, that he did muche la-
mente, that the right meaninge of the Othe, had not beene in season opened and declared ynto me, vvhā the onely lacke of

the right vnderstandinge thereof, hath beene the cause of such staies and distourbaunce of conscience. VVhereas the Q. Maiesties meaninge in that Othe, is farre othervvise than the expresse vvoordes are as they Lie Verbatim, like as it doth vvell appeare by her Highnes interpretation made thereof in her Iniunctions. Thereunto my obiection vvas, that vndoubtedly her Highnes did fully meane and minde to clayme and take all spirituall gouernement vppon her: for besides the expresse vvoordes of the Othe, vvherunto al men be bounde to svveare Verbatim, as they, Lie vvithout all chaunge and alteracion makinge of any vvoorde or sense thereof, her highnes (in the Interpretacion set foorth in her Iniunctions) doth by very plaine vvoordes, clayme the same spirituall gouernement here in this Realme of the Church of Englande, that her Highnes Father Kinge Henry, and her brother Kinge Edvvarde did enioye and clayme before her: in the vvhicke Iniunctions, and in the late Acte of Parliament also her Highnes dooth clayme no more spirituall gouernement, nor no lesse, but so muche in euery pointe as they had vvithout all exception. For ansvveare his L. did still continue in the deniall thereof, and that her highnes meaninge vvas not to take so muche of Spirituall authoritie and povver vppon her, as they did: vvith affirmacion that he did moste certainly and assuredly knowve her Highnes minde therein. Then for some issue to be had of this matter, secyng that the meaninge of the Othe, is not as the expresse vvoordes doo purport. And secyng that his L. did so vvell vnderstande her Highnes meaninge therein, and thereby the very right sence thereof, I besought him that his L. vvoulde take some paines for tructhes sake to penne the same: vvhereuppon his L. did penne and vvrite the interpretation of the saide Othe, as hereafter follovveth. I. A. B. do vvviterly testifie and declare in my conscience, that the Q. Highnes is the onely Supreme gouernour of this Realme, and of all other her Highnes dominions and countreis, asvvell in all Spirituall or Ecclesiasticall thinges or causes, as Temporall. That is, to haue the soueraignty and rule ouer all manner personnes, borne vvithin her Realmes, dominions, and countreys of vvhat estate either Ecclesiasticall or Tēporal so euer they be. And to haue authority and povver to visit the Ecclesiasticall estate and personnes, to reffourme, order, and correct the same: and

and al maner errors, heresies, schismes, abuses, offences, contemptes, and enormities. Yet neuertheles in no vwise meaning that the kings and Queenes of this Realme, possessours of this crowne, may challenge authoritie or povver of ministerie of diuine offices, as to preache the vvord of God, to minister Sacramentes or rites of the Church appointed by Christ to the office of Church ministers, to excommunicate, or to binde, or lose. Of the vvich fowver pointes, three belong only to the Ecclesiastical ministers, the fourth is commen to them vvith the congregation, namely to excommunicate. And that no forain Prince Person, Prelate, State or Potentate, hath or ought to haue, any Iurisdiction, Povver, Superioritie, preheminence, or authoritie Ecclesiastical or Spiritual, vvithin this Realme. And therefore I doo vterly renounce al forein iurisdiccions, povvers, superiorities, proheminences and authorities: That is, as no Secular or Laic Prince, other than the kings or Queenes possessours of the crowne of this Realme, of vvhat title or dignitie so euer they be, hath or ought to haue, any authoritie, soueraintie, or povver, ouer this realme, ouer the Prince or subiectes thereof. Euen so no maner of forein Prelate or persone Ecclesiastical, of vvhat titlie, name, so euer they be, neither the sea of Rome, neither any other sea, hath or ought to haue vse, enioy, or exercise, any maner of povver, iurisdiction, authoritie, superioritie, preheminence, or priuilege Spiritual or Ecclesiastical vvithin this Realme, or vvithin any the Q. Highnes dominions or countreys. And therefore, al such forein povver vterly is to be renounced, and I doo promise, &c. Vt sequitur in forma iuramenti.

The B. of Winchester.

These that ye terme Resolutions, are none of mine, they are lyke him that forged them, false, feigned, & malicious. They be your owne, either ye could not, or yee were ashamed to adioine my answers to your seely objections, and therfore ye feigned me to vtter for resolutions, your owne penitish canillations. This report is false, that I should affirme y^e Queenes Maiesties meaning in that othe to be far otherwise then the expresse wordes are as lyc *verbatim.*

This my constant Assertion, that hir Highnesse minde & meaninge is, to take so much, and no more of Spiritual auctoritie and power vpon hir, than Kinge Henry, and Kinge Edward eioyed and did iustly claime, you vntruelly seygne to be your obiection. And that I shoulde as firme of most certaine and sure knowledge, hir Maiesties minde, or the very right sence of the Othe, to be otherwise than it is plainely set forth, is a malicious slander, whereof I will fetch no better proofo, then the testimonie of your owne mouthe. We confesse that the interpretation followinge, was penned and written by me, to declare the very righte sence and meaninge of the othe, wherein ye haue acquitted me, and condemned your selfe, of a manifest vntuthe. For the right sence and meaning declared in the interpretation that I made, and you haue set forth, both plainely shewe the cleane contrary, if you marke it well, to all that you haue here set forth in my name, vnder the title of my resolutions to your scruples. Furthermore, in the Preface to your sozenamed pointes, ye haue declared by woorde and writinge, that I did require you presently to sweare & by othe to acknowledge, her highnes to be the onely supream gouernour in all Spirituall or Ecclesiasticall thinges or causes. If this be true, that you haue said, it is manifest by your owne confession, that I declared her Maiesties meaninge in that Othe, to be none other wise than the expresse wordes are, as they lye verbatim. For when I shewe her meaninge to be, that ye should acknowledge in her highnes, the only supreamacie, I doo declare plainely, that she meaneth to exclud: all other men from hauinge any supreamacie: for this exclusiue, only, can not haue any other sence or meaning And when I adde this supreamacie to be in all spirituall causes or thinges, I shewe an vniuersall comprehension

hension to be meant without exception. For if ye excepte
 or take away any thing, it is not all. And you your selfe
 took my meaning to be thus. For ye challenge me in your
 seconde chiefe point, and call for proofe hereof at my hand,
 whiche ye woulde not doo, if it were not mine assertion &
 meaning. For why should I be driue to proue that which
 I affirme not, or meant not. Besides these in your whole
 traualle folowing, ye labour to improue this (as you say)
 mine assercion, to wit, that all Spirituall iurisdiction de-
 pendeth vpon the positie Lawe of Princes: If this bee
 mine assercion, as ye affirme it is, and therefore bende all
 your force to improue it, ye witnes with me against your
 selfe, that I declared her Maiesties meaning, was to take
 neither more nor lesse authoritie, and iurisdiction, vnto
 her selfe, than kynge Henry and kynge Edward had, for
 they had no more than all. And if her Maiestie take any
 lesse, she hath not al. Touchinge therefore these false, set-
 ned, and sclaunderous resolutions, as they are by you
 mosse vntroly forged: even so, whether this bee likely,
 that in a peres space welnigh, I would not in all our dai-
 ly conference, make one reason or argument, out of the
 Scriptures or other authoritie, in the maintenaunce of
 mine assercion: and to resolute you in the same, I referre to
 the iudgement of all the Papistes in the Realme, that
 knowe both me and you. Againe, though ye doo denie
 that I so did, & therefore do report none, there bee many
 both worshopfull and of good credit, yea, and some of your
 owne deer friends also, that are witnesses of our talke, &
 can tell what reasons I haue made vnto you, bothe out
 of the Scriptures and other authorities and proofes out of
 the Church histories, suche as ye coulde not auoide, but
 were forced to yelde vnto. And whether I should so doo or
 not, I might referre me vnto the testimonie of your owne
 mouth,

mouthe, both then and sitten spoken to diuerse, that can witnesse y same, that ye affirmed this (although vntruly) that you neuer found any, that so muche ouerpessed you, as I did, whiche your sayng, although most vntrue, yet it sheweth, that somewhat I said to confirme mine assertion and to confute yours.

M. Fekenham.

Hereunto I did make this obiection folowing. These vvorde of the first part of the orhe, I. A. B. doo vriterly testifie and declare (in my conscience) that the Q. highnes, is the only supreme gouernour of this Realme, as vvell in al Spiritual or Ecclesiastical thinges or causes, as Temporal. (Besides the particulers expressed in your L. interpretation made thereof) they doo by expresse vvordes of the acte geue vnto the Queenes highnes, all maner of iurisdiction, priuileges, and preheminences in any vvise touching and concerning any concerning any Spiritual or Ecclesiastical iurisdiction vvithin the Realme, vvith an expresse debarre, and flat denial made of al Spiritual iurisdiction vnto the Bishops thereof, to be exercised ouer their flockes and cures, vvithout her highnes Speciall commission to be graunted ther-vnto: They hauing by the expresse vvorde of God, comission of Spiritual gouernment ouer them, commission to lose and bind their sinnes. Commission to shut and open the gates of heauē to them. Commission to geue vnto them the holy ghost by the impositiō of their hādes. And thei hauing by the expresse vvord of God such a dangerous cure and charge ouer their soules, that God hath threatned to require the bloud of suche as shall perishe at their handes. Notvvithstanding, these and many such other like commissions graunted vnto them for the more better discharge of their cures, and that by the mouth of God, they may not exercise any iurisdiction ouer them, they may not visit them, they may not reforme them, they may not order nor correct them, vvithout a further comission from the Q. highnes. Surely my good L. these thinges are so straunge vnto me, and so contrary to all that I haue rede, that I am not hable to satisfie my conscience therein. Your L. answer vvvas, that for as muche as all spirituall iurisdiction, and

authoritie

Act. 20.

Ioan. 20.

Math. 16.

Act. 8.

Heb. 13.

Ezech.

authoritie to make Lawes, and to iudge the people in courtes Ecclesiasticall, to visite them, to reforme them, to order and correct them, doth depende onely vpon the positive Lawes of Kings and Princes, and not vpon the Lawe of God. Therefore neither did the Apostles of Christe, neither the Bishoppes and their successours may, exercise any iurisdiction vpon the people of God, iudge the, visite them, reforme order and correct them without authority and commission of the King and Prince.

The B. of Winchester.

It is very true, that after yee had quarelled muche in sondry thinges touchyng wordes and termes expressed in the Act of Parliament, and in the interpretation of the Same: Yee did neuerthelesse finally agree in the whole matter thereof, finding onely doubt in one pointe of mine assertion, namely touchyng iurisdiction Spirituall or Ecclesiasticall, all whiche you affirmed con, trary to mine assertion, to be committed by Christe to Bishops & priestes, as properly apperteyning to their office and calling without further commission or authoritie from Princes or any other power. The distinction that I made of Ecclesiasticall iurisdiction, I wil first repete, and than put mine answer to your argumentes. Spiritual Iurisdiction is deuided into two sortes, the one is called *cohibitorye*, the other not *cohibitorye*. That whiche is called not *cohibitorye*, is that iurisdiction or power that is exercised and worketh in the inwarde and secrete courte of conscience: that is the preachinge of the Gospell, mynistracion of the Sacramentes, and the absoluinge and reteininge of sinnes by the worde of God in the publique mynistry. This therefore they call not *cohibitorye*, because in the Court of conscience, no man is bound or lawed vntwillingly or against his will. To exercise this kinde of Iurisdiction, neither Kinges nor ciuill Magistrates, neither any other persons

Do

may

Ioan. Antonius Delph. lib. 2.

may challenge or take vpon him, onlesse he be lawfully called thereunto. Jurisdiction Cohibitive hath two partes, the one consisteth in the exercise of excommunication, and circumstances thereunto required by Chzistes institution: the whiche power or Jurisdiction belongeth to the Church onely, and not to the Prince, Bishoppe or Priest: for noman hath authoritie to excommunicate but onely the Church, and those who receiue authoritie there vnto by commission from the Church. The other kinde of Cohibitive Jurisdiction is a power or authoritie, that consisteth and is exercised, in foro causarum, in the court of causes, and apperteineth ad externum & publicum forum, to the externall and publike Court, and is defined to be, saith Antonius, an authoritie or power to declare the Law, geue sentence and to iudge in all controuersies (pertayninge to the Court) what is euery mans right, and in summe, to do those thinges, that iustice dooth require accordinge to the Lawes. Ioannes Quintinus defineth Jurisdiction, to the same effect, but openeth the nature thereof more plainely, sayinge: Jurisdiction is an office and authoritie, to declare the Lawe, that is, to admynter iustice and equity, and to gouerne the people with right and Lawes. VVhan I name an office, (saith he) I meane that iurisdiction hath in it selfe a necessity to declare the Lawe: for office is that whiche euery man is bounde to doe to declare the lawe, is, to exercise iudgementes, whereuppon cometh iurisdiction (he meaneth that iurisdiction hath the name and is so called of exercisinge iudgementes) iudgementes are exercised onely of them that haue iurisdiction, that is, power to iudge. Jurisdiction consisteth onely in the contentions or debatinge of matters in Court or iudgementes. This authoritie to iudge dooth discende nowe from the Prince alone, in whome onely is all power. By vertue of this iurisdiction, (saith Antonius) the Church mynisters accordinge to their offices rightly enioyned vnto them, may lawfully visit, enquire
of

of mens manners, punish the faulty, send forth apparitors or summoners, cyle the sturdy and stubborne, repress their malepartnes, call and summon meete persones to the Synode prouinciall or generall, confirme the matters decreed in the Synode or Councell, pardon faultes, chaunge or mytigate the penauce enioyned for confessed faultes, condemne Heretiques and their writings, examine all mens writings who so euer, before they be set forth or publis hed, and after due examination, iudge whether they conteyne sounde or pestilent doctrine, ordeine Decrees, Lawes, ceremonies and rites, constitute Bishoppes and other Church mynisters, also depose, degrade, make them irregular and vnhabable to haue holy orders, determine illegitimation in persones for maryage, bestowe Ecclesiasticall benefices, and exact tythes and annates. These and many other thinges may be lawfully done by those that haue the power of this Cohibitive Jurisdiction, whiche is not (saith he) properly signified by the name of the keyes: for although it may be named (in some respectes) a Church keye: yet it differeth very muche from the keyes of the firste Courte, that is, of the Courte of Conscience. For the vse of those keyes, that are occupied in the Courte of conscience, belongeth onely to the Euangelicall Priestes. But this Jurisdiction may lawfully be exercised of those that are not mynisters of the woorde and sacramentes, and are not Priestes. As the two former partes of Ecclesiasticall jurisdiction haue their vertue, power, and institution of Christe immediatly, euen so this third part, whiche is saide to consist in foro caularum, with those thinges which may be vsed or exercised by vertue thereof, dothe depende vppon the positive Lawes of Christian Magistrates, or where suche wanteth vppon the positive rules and orders of that Church, where suche orders muste be practised, and not immediatly vppon the Lawe of God. You toke vppon you to proue, that this seconde kinde of Cohibitive Jurisdiction with the appurtenances thereof: as I haue reuersed, was appointed by

the expresse worde of God immediatly to Bishoppes and Priestes, without further commission of Princes or other power, whiche I denied.

Nowe let vs consider the force of your proufes, and see how they conclude your cause. Firſte yee ſay, that the wordes of the firſt partie of the Othe, doo by expresse wordes of the Acte, geue vnto the Q. highnes all manner of iuriſdictions, priuileges and preheminences in any wiſe touchinge and concerning any ſpirituall or Eccleſiaſticall iuriſdiction within the realme, with an expresse debarre and flat deniall made of al ſpirituall iuriſdiction vnto the Biſhoppes thereof to be exerciſed ouer their flockes and cures without her highnes ſpeciall commiſſion, to be graunted thereunto: they hauinge by the expresse worde of God, commiſſion of ſpirituall gouernement ouer them. Your euill dealing with the wordes of the Acte and the Othe, expreſſeth an unkindely meaninge to the Prince and the ſtate: for that either the Acte or the Othe debarreth or denieth expreſſely or couertly by Biſhoppes of this realme to exerciſe ouer their flockes and cures, without her highnes ſpeciall commiſſion graunted therto, any ſpirituall iuriſdiction assigned to a Biſhop by the worde of God, is altogether vnttrue. The Statute geueth or rather reſtozeth to the Prince Iuriſdiction and authoritie to enquire after what ſorte, the Eccleſiaſticall ſtate and perſonnes behaue them ſelues in their cures and chardges, to reſourme and correct the diſorders, negligencies, and enozmities riſinge amongeſt them to the hinderaunce of their office in their cures and chardges: and in ſumme to order and prouide, that they do execute their office accordinge to their callinge in their cures & chardges. This is not to debarre or denie them the exerciſe of their office without a ſpeciall licence. Neither do the expresse wordes of the Statute geue to the Prince all manner of iuriſdictions in ſuche absolute wiſe as you reporte, in
any wiſe

any wise, and any spirituall iurisdiction within the realme. For these termes, *all manner, in any wise*, and any spirituall iurisdiction, whiche you enforce so muche are not founde in the giste or restitution of spirituall iurisdiction made by the acte vnto the Prince: But in that parte where the acte geueth afterwarde power and authoritie to the Prince to execute the Iurisdiction, now vnited and annexed to the Crowne, by meete delegates, to be assigned, named, & authorized by comission or letters patentes vnder the great Seale of Englande. If yee will hereof inferre that because the Princes haue by vertue of the acte, full power and authoritie to name, assigne, and authorize any person whome they shal thinke meete to exercise, vse, occupy, and exequute vnder them, all manner of iuridictions, priuileges and preheminences in any wise, touchinge or concerning any Spirituall or Ecclesiastical iurisdiction within their dominions or countreies: Therefore all manner iurisdiction is in the Prince to be exercised, vled, occupied, and exequuted by them; for otherwise you will say, the Princes cannot geue and committe to others, that which they haue not receiued and is not in them selues. Your argument is easily answered in fewe wordes: it is a soule Sophistication, a secundum quid ad simpliciter. These wordes of the Acte, *all manner, in any wise*, are restrained and bounded, within the limites of the giste: where you of purpose, to beguile the simple with all, doe let them runne at lardge, and sette them forth as mere and simple vniuersalles without any limites at all. The Act geueth or restoreth to the Prince iuridictions, priuileges, superiorities, and preheminencies spirituall & Ecclesiasticall, but it addeth this Limitacion suche as by any Spirituall or Ecclesiastical power or authoritie hath heretofore bene, or may lawfully be exercised or vled. And for

that these woordes (as by any spirituall or Ecclesiasticall power or authoritie hath heretofore been, or may lawfully bee exercised and vsed) may bee maliciously stretched by a wangling Papist, and might seeme to some, that haue good meaning also, to geue ouer large a scope, the matter or object wherein, or where about, these Spirituall or Ecclesiasticall iurisdicions, priuileges, superiories, and preeminences, are exercised vled and doo consist, is limited and added in these expresse woordes (for the visitation of the Ecclesiasticall state and persones, and for reformation, order and correction of the same, and of all manner errors, heresies, schismes, abuses, offences, contemptes, and enormities) whiche woordes of limitation in y^e gifte, as they geue not to the Prince, the exercise of that iurisdiction that consisteth and woorketh in the inwarde and secrete Courte of conscience, by the preaching of the woorde and mynistration of the Sacramentes, whiche belongeth onely and alone to the Bishoppes, neither doo they authorize the Prince to vse that iurisdiction that belongeth properly to the whole Church: euen so doo they geue rightly vnto the Prince to exercise all maner iurisdicions, priuileges, superiories, and preeminences in any wyse touching, and concerninge any Spirituall or Ecclesiasticall iurisdiction, contained vnder the seconde kinde of Cohibitiue iurisdiction: so that may the Prince lawfully exercise and vse, and doth not belong vnto the Bishops, otherwise than by commission and authoritie of Positiue lawes. This limitation of iurisdiction set forth by expresse woordes in y^e Act, you know right wel: ye were also at sundry times put in minde thereof, and you were wel assured, that your alleaging y^e woordes of the Act so darkely, confusedly and vntruely, could not further your cause amongst the wise: and yet woulde you nedes publishe them in this sorte to the people, whereby at the least

least, to make both the Prince and the Lawe odious vnto the simple subiectes. The Bishoppes haue by the expresse woorde of God, commission of Spiritual gouernment ouer their flock, that is, to feede the flock of Christ, committed to their charge, with Gods holy woorde, as I haue declared befoze. They haue commission to absolue the faithfully penitent, and to reteine or binde the impenitent: that is, to declare and assure both the one & the other by the woorde of the Gospel of Gods iudgement towards them. What will ye inferre hereof: will ye conclude therfoze, they haue all maner of spirituall gouernement or iurisdiction ouer them: Winge Logicians knowe, this is an euell consequent, that concludeth vpon one or diuerse particulars affirmatiuely an vniuersall. Thus ye argue, Bishoppes by the expresse woorde of God, haue commission to preache to their cures, to remitte or reteine synnes. Ergo, they haue commission by the expresse woorde of God, to summon counceils, or Synodes generall or prouinciall, to visite: that is, iudicially sitting in iudgement, to enquire of mens manners, and forinically to punish or correct, and to decide the controuersies amongst the people: touching contractes of matrimony, whoordome, tyethes, sleaunders &c. and to ordeine decrees, Lawes, ceremonies, rites, &c. If this conclusion followe consequently vpon your antecedēt, than doth it overthrowe the doctrine of your Romishe diuinitie, whiche graunteth not to the Bishoppes immediatly from God this power, without a speciall commission from the Pope, in whome onely, as the Papistes saye, is fulnes of iurisdiction and power. But if this conclusion followe not consequently vpon the antecedent, as a man moze than halfe blynde, may plainly see, it doth not: than haue ye concluded nothing at all by Christes diuinitie, that may further the matter yee haue taken

AA. 3.

taken in hande to proue. You falsely reporte the Scriptures, in this that you say: the Bishops haue commission by the expresse worde of God, to geue vnto their flockes & cures, the holy ghost by the imposition of their handes. For the place which yee quote for that purpose, expresseth no suche commission, neither any other place of the holy Scriptures. The Bishoppes haue so dangerous a cure and charge ouer the soules committed vnto them, that God will require the blood of those that perishe (thorough their negligence) at their handes: and therfore hath geuen them sufficient commission for the discharge of their cures. It were therefore an horrible absurditie, if they might not exercise any Jurisdiction ouer the: if they might not visit, reforme, order and correct them, by that commission without a further commission from the D. highnes. But doe yee not perceiue, which the most simple may see, whereof also yee often were admonished by me, your warblinge slaught, and Sophisticall quarellinge in euocation of wordes & termes? As there are two sortes of Jurisdiction, whereof the one not Cohibitorye, properly belongeth to the Bishoppe whiche he may and ought to exercise ouer his flocke, without any other commission than of Christ: so to visit, reforme, order and correct, are of two sortes; the one a Scripturally visitacion, reformation and correction by the onely worde of God, which the Bishoppes may and ought to exercise in time, and out of time, with all possible watchefulnes and diligence without any further commission. The other kinde of visitacion, reformation & correction, is Forinsecall or courtly, whiche I comprehend vnder the seconde kinde of Cohibitive Jurisdiction, and this the Bishoppe may not exercise without a further commission from the Prince. Wherefore it is ouer soule an absurditie in you to inferre, that the Bishoppes

Bishoppes may not exercise any Jurisdiction, visitacion, reformation or correction, because they may not vse this Forinsecall, or courtly without the Princes commission.

M. Fekenham.

VVhereunto I do adioyne this obiection following. First for the time of the olde lawe, vvhicke as Paule saide vvvas a very figure of the newe, Moses, Aaron, Eleazarus, being Priestes, they had by the expresse vvorde of God, this iurisdiction ouer the people of God, as to sit in iudgement vpon them, and that not onely in Ecclesiasticall, but also in Politike and ciuill matters and causes: they did visit them, they did reforme them, they did order, correct, and punish them, so oft as cause required, and vvithout all commission of any cyuill Magistrate, gouernour, King or Prince. Besides that for the vvhole time, of the old Lawe, there vvvas an expresse lawe made, vvhereby all Cyuill magistrates and iudges vvvere cōmaunded in all doubtful matters, to repayre to the Bishoppes and Priestes, and to stay vpon their determinacions and iudgements, vvithout declining on the right hande, or the left. And if that any man should disobeye the determinacion once geuen of the Priest, morietur homo ille, like as appeareth. Deut. 17.

Exod. 24.

Exod. 29.

Num. 27.

The B. of Wyndesore.

This adiunct will not serue your turne, for it is not possible to stretch it without burstinge, to ioyne with that you must cōclude. You beginne to ioyne your worke togeather with a saying of S. Paule, which he neuer said, you should haue noted the place where S. Paule saith, that the olde Lawe was a very figure of the newe. There is no suche saying: S. Paule saith to the Hebrewes: *that the Lawe hath the shadowe of good thinges to come* &c. where he speaketh not generally of the whole Lawe, but of the ceremoniall parte and sacrifices, which were shadowes of Christe and his sacrifice, and not of the Bishoppes Jurisdiction after Christ, vnder the Law of the Gospell. Thus

Hebr. 10.

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aptly

AN ANSWERE

Lyra.

aptly also doe your allegations out of the olde Testament serue your purpose: for one of the thre, to wit, 29. of Exod. hath no word of this Iurisdiction: onely it sheweth the manner of consecratinge the Priest, and the ceremonies thereabout. In the. 24. of Exod. it is saide, that when Moses wente vp into the Mount, he saide vnto the Elders: Tary vs here vntill wee retourne vnto you. Beholde Aaron and Hur, are here with you: if any man haue ought to doo, let him come to them, that is if any matter of controuersie arise in mine absence, let Aaron & Hur, haue the hearinge and decidinge of it, as I shoulde haue, if I were present. By this place Aaron had no authority geuen vnto him but for a time in the absence of Moses, by commission from Moses, the chiefe ruler and gouernour of Goddes people, and that not alone, but hauinge Hur one of the Elders, an auncient and a wise man ioyned in commission with him. This allegation maketh directly against your conclusion: for it sheweth y Aaron had this authority but by commission from Moses the Prince of the people. In the thirde place Num. 27. where God shewed vnto Moses, that Josue shoulde gouerne the people after him, it is saide: that Josue shoulde stande before Eleazar the Priest, who shall aske Councell for him by the iudgement of Urim before the Lord, and at his wordes they shal goe out and in, both he and the people of Israell: that is, whan Josue standeth in doubt what to do for the better gouernement of the people, either in the time of peace or warre, he shall vnderstande Goddes will therein by the high Priest, to whome the Lorde will miraculously declare his will and pleasure by the light or shininge of the vrim and thummin, and accordinge to Gods will shewed in the vrim to the high Priest, and by him to Josue, he muste direct and order his goyng in and out: Ergo, say you. The Bishoppes and Priestes now in the time of the Gospell, haue Iurisdiction by the expresse

expresse worde of God, to keepe Courtes, to cal Councels, to make Lawes, & for inferally to visit, reforme, order, & correct their flockes & cures. The most simple can iudge of this sequele. After like sorte it is written *Deut. 17.* That whan harde and doubtfull cases come befoze the iudges or inferiour Magistrates, whiche cannot easely be tried or founde out by them: than the inferiour Magistrates shall go to the high Priest, and to the chiefe iudge at Hierusalem for the time beinge, who shall shewe what is to be done: whose sentence & iudgement must not be disobeyed, vnder the paine of death. Doe you not aptly conclude, thinke you, that the Bishops in the time of the Gospell ought to haue this Courtly iurisdiction, bicause the high Priest, and the Temporall iudge, did determine doubtfull cases in y^e time of the olde Testament: for the Priest alone did not determine all causes, as you seeme to alledge the text.

M. Fekenham.

Seconde, in the Nevve Testament: like as our Saviour *Act. 10.* Christe, did committe and leaue the vvhole Spirituall gouernement, of his people and Church, vnto his Apostles, and to the Bishoppes and Priestes, and the successours of them. So they did practise all Spirituall gouernement ouer them, they did execute and geue iudgement in the Church of Christe: they did reforme, order, and correcte all disorder therein, and that vwithout all commission, ayde, or authority of any Temporall Magistrate, Kinge, or Prince, for the space of three hundred yeeres in the prymatiue Church of Christe, vnto the time of Constantine, he beyng the firste Christian Kinge and Emperour, vvhiche did ioine his svvoorde to the mayntenance of Goddes vvoorde.

*Lib. 1. Hist.
Trip. ca. 9.*

The B. of Wyndchester.

Like as the Apostles had in commission power from

Ch. 2

Christe

Christe our Saviour, to whom al power was geuen both
 in heauen and in earth: so faithfully they executed the au-
 thoritie and charge comitted vnto them, not seeking their
 owne honour by vsurpation, but the glozy of Christ by the
 abasing them selues euen vnto the death. Their commis-
 sion registred by S. Mathew appeareth in these woordes.
Go and teache al the nations, baptizing them in the name of the Father,
and of the sonne, and of the holy ghost, teaching the to kepe all thinges,
whiche I haue commaunded you. Howe faithfully they exercised
 this authoritie accoꝝding to the commissiō, S. Luke shew-
 eth in his Chꝛonicle, called the Actes of the Apostles, and
 setteth fooꝝth one notable example hereof, in Paules ora-
 tion, made to the Elders of Ephesus, called to *Miletum*. He
 taketh them to witnesse, that he kept nothinge back from them, that
 might be for their profit, but shewed them all the counsell of God. It
 is much maruail that Paul shewed al Gods counsell vnto
 them, & yet made no mention of any Foꝝinsecall iuris-
 diction as geuen them by the commission of Gods worde.
 The godly Bishops that succeded the Apostles foꝝ many
 yeres after, followed the doctrine and examples of the A-
 postles, yet neuer exercising iurisdiction Foꝝinsecal, nei-
 ther iudging, refoꝝming, oꝝdering, oꝝ coꝝrectinge, other-
 wise than by pꝛeaching, publikey oꝝ pꝛiuately, without
 especiall consent and commission of their Churches, du-
 ring the time, thei had no Chꝛistia Prince oꝝ Magistrate.
Constantinus, as I haue saide, was not the first Chꝛistian
 King: But he was the very first Emperour, as your owne
 wꝛiters doo witnesse, that gaue Bishops authoritie to
 iudge and exercise iurisdiction, ouer their Clergie, and that
 gaue to the Bishop of Rome power and authoritie ouer
 other Bishops, as Judges haue the king ouer them, and
 that gaue to him power and iurisdiction ouer all other
 Churches, if that Donacon be not forged whiche *Gratian*
 citeth.

Nicep. li. 7
 cap. 46.

esteth. And *Petrus Bertrandus* a Bishop, a Cardinal, and one of your best learned in the Canon and Ciwill lawes, in his treatise *De origine iurisdictionum*, affirmeth, that *Theodosius* and *Carolus Magnus*, did graunte vnto the Church all iudgements. For the proufe whereof, he auoucheth diuerse decrees, and addeth, That such graūtes were after wardes abrogated.

Dist. 86.

M. Fekenham.

At the first councell holden at Hierusalem, for the reformation of the controuersy that vvas than at Antioche, touchinge Circumcisiō, and the obseruation of Moles Lawe, decrec vvas made there by the Apostles and Priestes, vnto the beleuers at Antioche, that they shoulde absteyne from these fowre chiefe and necessary thinges, viz, ab immolatis simulachrorum, à sanguine & suffocato à fornicatione, à quib. custodientes vos, bene agetis. The vvhiche first councell vvas there assembled by the Apostles of Christ. The Decrees and Lawes, vvere made there by them: The controuersy at Antioche, vvas by them reformed, ordered, and corrected vvithout all commission of any temporal Magistrate King, or Prince.

Act. 15.

The B. of Wynchester.

God be thanked, that S. Luke maketh to vs a sufficient report of this councell, who maketh no mencion of any Priest there present, as you vntreuely report, onles ye will thinke he meant the order of Priestes, whan he named the faction of the Pharisees. Whether the Apostles called this councell or not: or that the Congregation being assembled together in their ordinary sort, for prayer, preaching, and breaking of bread, *Paulus* and *Barnabas*, with the others, sent to Hierusalem, did declare the cause of their message befoze the whole Church, which is more likely, I will not determine, bicause S. Luke maketh no mencion thereof. But if it be true that ye affirme that the Apostles called or assembled this Councell. Then was it

not the authoritie of Acte of one Apostle alone. Besides this, if the Apostles called this councell, they called they Layte so wel as the Clergie to the councell: yea, as may seeme probable, mo of the Laytie than of the Clergie. The decrees were not made by the Apostles alone, as you falsely seyne. For S. Luke saith, the decree was made by the Apostles, Elders, and the whole Congregation. The Apostles, I graunt, as was moste convenient with the Elders had the debating, arguing and discussing of the question in controuersie. They declared out of the holy Scriptures what was the truthe: And I doubt not but they declared to the Church, what they thought most convenient to be determined: But the determination and decree, was by the common consent, both of the Apostles, Elders, and people. Therfore this controuersy was reformed, ordered, and corrected, not by the authoritie of the Apostles alone, without the Elders, neither they together did it without the assent of the Church, and so this allegation maketh no deale for your purpose, but rather cleane against it.

M. Fekenham.

Act. 8.

The Apostles also hearinge at Hierusalem, that Samaria had recieued the vvoorde of God, they did sende Peter and Iohn, to visite them to confirme them in faythe, and that they might receiue the holy ghost by the imposition of their hands. Paule and Barnabas did agree betwixt them selues, to visite all those Cities and bretheren, vvhiche they had conuerted to the faith. The vvoordes of the Scripture are these: Dixit ad Barnabam Paulus, reuertentes, visitemus fratres per vniuersas Ciuitates, in quibus prædicauimus verbum Domini, quomodo se habeant. In the vvhiche visitation, the Apostle Paule: Electo Sila per ambulabat Siriam & Ciliciam, confirmans Ecclesias, præcipiens custodire præcepta Apostolorum & seniorum. By the vvhiche vvoordes it right vvell appeareth, howe the Apostles and Priestes at Hierusalem, ouer and besides the Ghospell vvhiche they taught, they did make certeine Decrees, Lawes, and ordinaunces, the vvhiche

Act. 15.

vvhiche the Apostle Paule in his vifitation, gaue commaundement to the Syrians, and Silicians, to obserue and keepe.

VVhat Lawes and orders did the Apostle make and appoint vnto the Corinthians, that men ſhould neither praie nor preach in the Church vwith their heades couered: VVhat reformation and order did he make and appoint vnto them, for the more honourable receiuing of the Sacrament, and that partly by vvriting, and partly by vvoorde of mouthe, ſaying: *Cetera cum Venero diſponam*, and in his ſeconde Epistle to the Theſſalonians, he ſaith, *Frates ſtate & tenete traditiones quas didiciſtis. ſive per ſermonem, ſive per Epistolam noſtram.* VVhat orders and Decrees did the Apostle Paule make, touching praiyng and preaching vnto the people in tongues vnknowen, and that al vvomen ſhould keepe ſilence in the Church and Congregation? These and many ſuche oſher like Lawes, orders, and Decrees, vv ere made for the reformation of the people in the Church of Chriſt, by Chriſtes Apoſtles, by Biſhops and prieſtes, as the ſucceſſours of them, and that vvithout all commiſſion of any Temporal Magiſtrate, Emperour, King, or Prince, Conſtantine being the firſt Chriſtian Emperour, like as I haue ſaide.

1. Cor. 11.

1. Cor. 13.

The B. of Wynecheſter.

Your whole diſtinction in this parte is, to proue that Biſhoppes and Prieſtes may viſite, geue the holy Ghoſte, by the impoſition of their handes: and make lawes, orders, and decrees to their flockes and cures. Your proufe conſiſteth in the example of the Apoſtles, and this is your argument: The Apoſtles viſited, gaue the holy Ghoſt, and made Lawes, orders, and decrees, vnto their flockes and cures, Ergo, Biſhoppes and Prieſtes, haue authoritie and may make Lawes, viſit & geue the holy ghoſt to their flockes and cures. The inſufficiency of this conſequent, doth eaſely appeare, to thoſe that doe conſider the ſtate and condicion of the Apoſtleſhip, and compare therewith the office of a Biſhop or Prieſt. The Apoſtles did, might, and could doe, many thinges that Biſhoppes and Prieſtes, neither may, nor can doe. The matter is more plain.

plaine than that needeth any proufe. But as the sequelle faileth in forme, so let vs consider the matter, wherupon ye grounde the sequelle, that your friendes may see what foule shiftes ye are giuen to make, for the maintainance of an vniust claime. That the Apostles did visite their cures and flockes, you proue by two places of the Actes: in the first place, ye keine the Scriptures to sale, that it sayeth not: for in the eight of the Actes, there is no mention made of any visitation: the other place speaketh only of a Scripturely visitation, and nothing at al of your Forinsecall or Canon Lawe visitation. The Canon Lawes visitatiō, is to be exercised by a great number of such persons, as the Scripture knoweth not. And y^e matter wherabout that visitation is occupied for the moste part, is directly against the Scriptures. The personnes that may lawfully visit in your Canon Lawe visitation, are Popes, Legates from the side: Legates sent and borne, Legates and messengers of the Apostolike see, Patriarches, Archebishops, Bishops, Archdeacons, Deanes, Archpriests, Abbottes, and other inferiour personnes hauinge iurisdiction. All Archbishops whiche are Legates borne, haue authority to visit their prouinces by double right, to wit, by right Legatine, and by right Metropolitane, and so they may visit twyse in the yere. All these visitours muste beginne their visitation with a solemne Masse of the holy ghost. The Bishoppe and euery ordinary visitour, must beginne his visitation at his Cathedrall church and Chapter. He must come into the Church where he visiteth, and first kneele downe and pray deuoutly, chiefly directinge his eyes and minde to the place wherein the honourable sacrament of Christes Bodie is hidde and kepte. The matters of the Canon Lawe visitation are in parte these. The visitour ought to viewe diligently whether the place where the sacrament is kepte, be cleane, well garnished and close, for the Eucharist, and the holy Chrysme ought to be kept shut vnder locke and keye. He must see that there be great lightes of waxe to geue light in
that

Mar. Soci.

that place, Then must he visit the place of the holy reliques, and of Baptisme. And searche diligently what manner of place it is and whether it be kepte shut. Besides this he muste visit the Altars and little Chappelles, and must with his eyes vie w the whole Church whether it be cleane and cleane. Then he must visit the vesselles and Church vestymenies whether they be cleane, and kept in a cleane place, as they ought to be, and whether the vestymenies be overmuch worne and broken, and in case the visitour shall finde suche vestimentes vncleane, rente, and consumed with occupyng, he muste burne them in the fire, and cause the ashes to be buried in some place, whereby there is no passage. But in any wise let him not suffer (saith Socius) purses or such like thinges to worldly vse to be made of the coopes or tunicles. Last of all, let him suruey the houses and possessions belonging to the Church. The Bishop dooth visit also, to Bishop enfantes, and to consecrate or hallow Churches. The visitour also shall enquire and examine, whether any man knowe or beleue, or that the same is, that the sexten, the Treasurer, or the Vesture keeper, hath well and safty kepte, the vessels, vestymenies, and other thinges or ornamentes of the Church, as Masse bookes, Grayles, Antiphoners, Legendes, and other thinges appointed to diuine seruice, and whether any thinge moueable, or vnmoueable be diminished, and by whome, wherefore, when, and after what sorte, whether they be diligently present at the Dirigees for the dead. And whether the vesture keeper or sexten, keepe warely and cleane the Church, the Eucharist, the Reliques, the Founte, the Churchyardes, and suche other thinges. And he shall examine the Priestes in the countrey in sayng of their Masses. But let euery visitour vnderstande (saith mine authour) that same the greatest question or cōrouersie, which was betwixte three Rurall personnes or Priestes: whereof two of the strove about the woordes of Consecration, the one affirminge that the woordes are to be pronounced thus: Hoc est corpus meus: the other Hoc est corpus (I thinke he should haue saide corpū) meum. These two chose a thirde Prieste, who was taken to be better learned, to be arbytour, and to decide this high quastion whose answer was,

was, that he him selfe stood euer doubtfull in this question: and therefore in steede of these wordes of consecration, did alwaies vse to say, one Pater noster. Furthmore the visitour must enquire whether the Layty make their cōfessiō once in the yeere, and receiue the Eucharist at Easter. And whether they be slowe, or denie to paye their tithes and fruites. The Archbisshop must in visiting any of his suffraganes, exactly enquire and examine the Canōs, and Clerkes of the Cath. Church, whether they know, beleue, or that the same is, that the Bisshop hath couered and borne with some mens faultes for money, or other reƿorall comoditie. Can you finde in y^e Scriptures any one of these Visitations, or any one of these weightie matters enquired of, by Peter, John, Paule, Sylas, Barnabas, or by any of the Apostles in their Visitations, which were Scripture by Visitations? So surely, it is not possible: For these Idolatrous bankties, are manifestly repugnant to the Holie Scriptures. Amongest all the rable of these Canon Lawe Visitations, ye can not finde in the Scriptures, not so muche as the bare Title of one of them, onelesse it bee of a Bishoppe: whiche name applied to the man, as the scriptures describeth the man, that is called to that office, can no moze agree with a Canon Lawe Bishoppe, then with y^e Ciuill lawe Bishop, whose office was, as it is sette forth in y^e Digestes, to haue the rule & oversight of al manner of victualles in the Cities, as it were the chiefe clerke of the markets. As the matter of the Apostles visitations standeth directly against the greatest parte of the matter whereabout your Popish or Canon lawe visitation is exercised: Euen so the holy Scripture that you auouch, for y^e geauinge of y^e holy Ghoste, maketh nothing at all to proue your purpose. For S. Luke in y^e place speaketh not of an ordinary power, that should remaine in the ministers of y^e church for euer, but of a special giste to woode the Appzacles, & to geue that power to others, which should continue but

for

Li. 50. Tit.
4. De mun-
ner. & ho-
nor.

Act. 2.

for the time whiles Christs Church was to be created,
 and the woorde to be sounded thorough the worlde: And
 therfore Chrysostome saith: That this gyfte perteyned
 onely to the Apostles. For (saith he) the Conuert in Sa-
 maria had receiued before Peter and John came, the spi-
 rite of Remission of Sinnes: But the spirite of Myra-
 cles, that is the gyfte of tounges, healinge, prophecying,
 and such like, which are the gyftes of the Holy Ghoste,
 therfore are called the Holy Ghoste, they had not as yet
 receiued. There were many that by the power of Goddes
 spirite coude woork Myracles, but to geue this power
 to others, none coude doo but the Apostles. For that was
 propre, and onely in them. Marke now the sequels of
 your allegation for proufe of your purpose: Thus you ar-
 gue: The Apostles gaue by the impositiō of their handes,
 to the Samaritans, the gyftes, of Healinge, Prophec-
 ynge, of Tongues, &c. Therfore every Bishop and priest
 hath power to geue the same gyftes, to their flockes and
 cures. There was neuer none so blinde, or ignorantly
 brought vp in your cures, belongynge to the Abbay of
 Westminster, but that did well perceiue, that neither
 your Bishoppes, Abbottes, or Priestes, had, or coude do
 any suche seate. They, like Apes, imitated the outwarde
 signe, or ceremonie, but the inwarde grace they wanted.
 Touchinge the thirde parte of your proufe, whereby yee
 conclude, that Bishops and Priestes may make Lawes,
 orders, and decrees, to their flockes and cures, bicause
 the Apostles so did, as you say: Although I neede make
 none other answere, then to denie your argumēt, which
 you can by no arte maineteyne, the insufficiency whereof
 is manifest, to those that haue but a little skyll, eyther in
 Logike or Diuinitie: Yet I will brievely consider the pla-
 ces, whereupon you grounde this mishapen sequels, that

the vnskillfull may see, how little they make for your purpose. After that S. Paule had founded the Church of Corinth, and had brought them to Christ through preaching of the Gospell, there sprang vp amongst them in his absence many vices and offences, contrary to the Doctrine he had taught, and the Godly admonitions, that he had geuen vnto them: wherfore being aduertised thereof, he wrote his Epistle vnto that Church, wherein he reproveth their faultes, partely in generall, and partely in speciall: And in the ende of the tenth Chapter, concludeth with this general admonition, that *All thinges be done without offence, and to the Glory of God.* In the. xi. Chapter, he reproveth certeine faultes in speciall, committed by them in their publique assemblies, and Church meetings, contrary to this generall admonition, and contrary to that he had taught them in special, touchinge their honest and comely behauiour in their publique prayer, preaching, & communicating in Christes Sacraments, which of al other thinges ought chiefly to be so done, as thereby God may be glorified, and al offences eschued. To this ende S. Paule had taught the Corinthians, that in these publique & holy exercises, it is most seemely that men prophesy & pray bare headed: Contrarywise women, not without their heades couered. Many obserued this comelynesse in prayer and prophesyinge, as Paule had taught them: Others contentiously did withstande and gaine say the same, as an order that Paule hadde deuised, and brought in of his owne deuise, besides Goddes woorde, as you also ymagine that Paule made this order besides the Gospell, of his own authoritie, wherewith to bynde the Corinthians. To answere both the contentious Philosophers, than amongst the Corinthians, and the superstitious Papistes, nowe in lyke sorte molestinge the Christians, S. Paule

proueth

proueth, that this comlynnes is groundes bypon Gods ordinaunce, and not a Lawe newly deuised of his owne authoritie besides the Gospell. This is his proufe, the man by Gods ordinaunce hath the superiortie, and the woman must be in subiection. God hath appointed for them bothe, signes and tokens of this dominion and subiection. He hath ordeined that man in token of superiortie, shoulde haue his head vncouered: as contrariwise the woman, in token of subiection, to haue her head couered.

Therefore, if man laye away that signe and token of dominion whiche God hath ordeined for him to vse, and taketh vpon him the signe and badge of subiection, he dishonoureth God his head, and breaketh his ordinaunce. And so the woman, if shee leaue of the couerture of her head whiche God hath geuen to her, to be woene as a token and badge of her subiection, and taketh vpon her the signe of superiortie, she dishonoureth her head, and breaketh Gods ordinaunce. S. Paule addeth an other reason, whereby he proueth that, this was no Lawe made by him to the Corinthians. Nature, saith he, hath taught you this comely order. If this were a Lawe and Decree of nature, it was not S. Pauls deuise besides Gods word. S. Ambrose vpon this place saith, that S. Paule spake these wordes, according to Gods Lawe, whiche forbiddeth, (saith he) the man to weare his heare. Chrysostome affirmeth this to be an ordinaunce of nature. But saith he, when I speake of nature, I meane of God, who is the authour of nature. So that it is manifest by S. Pauls owne proues in defence of that he had taught, and by the witnesse of S. Ambrose and Chrysostome, that the man to be bareheaded, and the woman couered, was not a Lawe, order and decree, made by S. Paule to the Corinthians, as you vntruly fable: but Gods ordinaunce, made plaine, set forth, and taught by hym.

that all thinges might be done in the Church in comely order, to Gods glory. Of like sort was the reformation and order, whereof you speake about the more woorthie receyvinge the Lordes Supper. The Apostle maketh thereabouts no newe Lawe, order, or decree, besides the Gospell, but reproveth the Corinthians, for that they did not, aboute the receipte thereof, observe the lawe of the Gospell: He blameth them in generall, that their Church assemblies were not to the encrease, but rather to the decrease of vertue in them selves: He reproveth them that in steade of brotherly love, unitie, and concord, there was Contempte, Schisme, and Dissention amongst them: He rebuketh them, for that they made that Supper Pryvate, whiche the Lord him selfe had made, and instituted to be Comon: He reprehendeth them for Drunkenesse, and that with the contempte of the poore: And he sharply shaketh them up, for that they abuse the Church, contemninge the right vse thereof. Is not this Christs Lawe, that the people shoulde encrease in vertue: Is not this Christs comandement, that Christians shoulde lyve in brotherly love, unitie, and concord: Is not this Christs Institution, that his Supper shoulde be Common, and not Pryvate: Doeth not Christs lawe condemne Drunkardes, and contempte of the poore: And is not this Goddes decree, that his house shoulde not be prophaned or abused: If these be Gods ordinances, as you can not denie them to be, than are they not Pauls lawes, orders, or decrees, neyther by wytyng or woorde of mouthe: otherwise than that Paule was Goddes mouthe and scribe, to utter, not his owne lawes besides the Gospell, but Goddes ordinances comprehended within his Gospell. So that whether beyng presente, he taught them by woorde, or being absent

absente by wytyng, he neyther wyttte noz spake, other then he had receyued of the Lorde. He promised, say you, to dispose other thinges at his comminge. It is true, but not otherwile then he did these above mentio-
ned. He exhorteth, say you, the Thessalonians, to abide in the traditions, whiche they had learned by woorde or by wytyng. Pee say trueth: but he dooth not thereby hynde them to this, as to a lawe, order, or decree, made by him besydes the Gospell: but he monisheth them, as S. Ambrose expoundeth his meaninge, *To stande fast, con-
stant, and persevere in the tradition of the Gospell.* So that the traditions he speaketh of, are not other then the Doctrine of the Gospell.

I marvelle not, that yee misrepozte S. Paule, say-
yng, that he made orders and decrees, touchinge pray-
inge and prayringe vnto the people in tongues vnkno-
wen, & that all women shoulde keepe silence in the church
and congregation, for it may seeme, yee neuer readde the
place, but tooke it, as you hearde it reported. If you had
readde the place, yee mighte have seene with your owne
eyes, that S. Paule speaketh no whitte of that matter in
the .3. as yee batruely aouche: and in the .14. yee shoulde
have perceiued, that he in plaine speeche proueth you a
Liar: For that he denieth that these were his orders or
decrees, affirminge them to be the Lordes commande-
mentes, and so dooth Theophilact. *Gloss. ordinar.* and Lye wit-
nesse also with Paule, testifyinge that these were his
woordes and meaninge. These places thus rightly consi-
dered; it may easily appere vnto the most vnkilfull, how
little your purpose is holpen by them, & that these groun-
des do falle you: So that your whole shifte beyng listed,
is founde naught, both in matter and soueraine.

and the firste part, which is the firste part of the firste part.

radio, gdnq, con 97: M. E. Schenham. ad 220913, 07 20 11:10:00

The vvwhich noble Emperour Constantinus, for the repres-
non of the Arians errors and heresies, he did at the request of
syluester then Bisshop of Rome, call the first councell at Nicee:
vvhere he had, to the Bisshop, there assembled these vvordes:

Li 10. Hist. Cum vos Deus sacerdotes constitueret potestatem tradidit iudicandi de
Eccl. ca. 2. nobis. Et ideo nos a vobis recte iudicamur. Vos autem, cum nobis a
Deo, di, dati sitis, ab hominibus iudicari non potestis. &c. Valentin-
Lib. 7. Hist- nus Imperator cum ille rogatus esset ab Episcopis Helleſpōri Bythiniz,
Trip. ca. 12. vt interesset, consilio, respondit. Mihi quidem cum vna de populo sim,
fas non est talia perſcrutari, verum sacerdotes quibus hæc cura est, apud
Theod. lib. semetipſos congregentur, vbi voluerint. Theodosio Imperatori, Am-
hist. 5. Eccl. brosius ingressu intra cancellos templi interdixit, inquit: Interiora o
cap. 13. Imperator sacerdotibus solis patent. &c. Carēgit ob id gratias Imper-
ator, asserens se didicisse discrimen inter Imperatorem & sacerdotem.

The B. of Wycheſter.

It is manifest that Constantine called the first Nicene
councell, but very unlikely that he did it at the request of
syluester, because this Councell was not in the time of sylue-
ster, but whiles iulius was Bisshop of Rome, who by reason
of his great age coulde not be there present in his owne
persons, and therfore sent in his frende virius and Vincentius,
as the Ecclesiasticall histories repozte, and Epiphanius affir-
meth that Constantine called this Councel at the earnest
suite of Alexander Bisshop of Alexandria, whereto Ruffinus ad-
deth, many other of the Cleargy also. But if it be true as
yee say, that the Emperour called the Councell at the re-
quest of the Pope, than bothe those Papistes are Arians,
which affirme that the Pope called this councell, and your
cause by your owne confession is muche hindered: for if
the Emperour called the Councell, and that at the request
of syluester the Pope, as yee say, or at the earnest suite of
Alexander, and other godly Bishops, as Epiphanius and Ruf-
inus affirme: It appeareth plainly, that both the Pope
and

Nicep. li. 3.
cap. 14.
Soz. lib. 1.
cap. 17.
Li. 2. to 2.
her. 68.
Lib. 1. ca. 1.

and the other catholike Bishops, did therby acknowledge the supream power and authoritie, to sommon and call counsels, whiche is a principall part of your purpose, and of y^e Ecclesiastical iurisdiction cohibitive, to be in the Emperour and not in them selues: for otherwise they might, and would haue doone it, by vertue of their owne office, without any suite made to the Emperour, to execute that whiche belonged vnto them selues. The Emperour refused to iudge the quarreling accusations of the Bishops assembled at the Nicen councill, one quarreling and accusing an other, & referred the iudgement of them to Christ. This was his modestie, Policy, and prudent foresight, least by sitting those priuate quarels, he might haue hindered the common cause, as I haue said before, and is plainly to be gathered of *Ruffinus* and *Nicephorus*, and not for that he thought his authoritie might not stretch so farre, as to iudge the Priests and their matters, as ye would haue it to seeme: for as he him selfe protesteth, *this* above all other things, to be the chiefe scope and ende of his Emperiall authoritie, namely that the catholique Church be preserved in vnitie of faith, sinceritie of loue, concorde in godly Religion, and that the diseases therein as Schismes, Heresies, &c. might be healed by his ministry: euen so forsoke he no occasion or meane, whereby to worke forth this effect of his ministry and office, whether it were at some time by relenting and remittinge somewhat of his authoritie, or by exercising the same to the utmost, in al matters, & ouer all persones. He thought it the best for this time by relentinge to beare with the weakenes of those fathers, thereby the better to encourage them to stand fast, and toynly against the common enemy, for the furtheraunce of the truth. But afterwarde, when the council or Synode was assembled at Tyre by his commaundement, and that *Ashanasius* had made complaint

Lib. 1. ca. 2.

Lib. 8. ca. 16

Euseb. li. 3.

De vit. Con.

Soz. li. i. c. 4

unto him of the vnjust dealing of that councel to deface the
 truthe, the Emperour did exercise the full authoritie of his
 ministry, & called al the Bishops vnto him, to this ende, &
 he by his supreme authoritie, might examine their doings,
 & iudge of the whole councel whether they had iudged vp-
 rightly, and dealt sincerely or not. This he did at the suite
 of the most godly Bishop *Athanasius*, who would not haue
 attributed this authoritie to the Emperour, if it had not
 appertained to his iurisdiction to haue iudged the Bishops
 and their doings: neither would the catholique fathers of
 that time, haue suffered this and many other suche like do-
 ings of this most Christian Emperour, to haue passed
 without some admonition or misliking, if thei had not ac-
 knowledged the authoritie in him to be lawfull. He com-
 maunded the Bishops euery where to assemble at his ap-
 pointment, where, and when he would. He sharply re-
 proued *Alexander* Bishop of *Alexandria*, and *Arius*, for the co-
 tention stirred vp by them. He iudged *Cecilianus* Bishop of
Carthage, to be lawfully consecrated, and ordered, and
 condemned the Donatistes. And these Bishoppes assem-
 bled at the Nicene councell by his commaundement, of
 whom ye speake, acknowledged the Emperour to haue
 authoritie to iudge them and their causes, or els they had
 doone foolishly, to offer their billes of complaint vnto him,
 whom they thought had no authoritie or might not iudge
 and determine them. But in case it were true, that the
 Prince might not iudge the Priestes nor their causes,
 what conclude you thereof? You can not conclude your
 purpose, for this is no more a good consequent: *Constanti-
 nus* would nor could lawfully iudge the Priestes assem-
 bled at Nicene councell: Ergo, Bishoppes and Priestes
 may call councelles, make lawes, orders and decrees, to
 their flocke and cures, and exercise all manner iurisdiction
 cohibitive.

cōsistitue: Then this, Poze standeth but. lxx. myles from
 Pocklington, Ergo, your pocket is full of plummies: of
 the like fourme also are the consequentes, that yee make
 vpon the hystories of the Emperours *Valentinian* and *Theo-*
dofus. And as you can not fasten your purpose by any good
 sequele vpon these hystories, so that hystory that ye alledge
 of *Valentinian*, maketh muche again your purpose. First it
 is vncertein and may be doubted, whether this aunswere
 that ye affirme to be *Valentinians*, were his, or *Valens* the
 Emperours wordes, for as *Sozomenus* one of þe Tripartite
 Ecclesiasticall hystorians, affirmeth this suite to be made
 by catholike Bishops of *Helleſpontus* & *Bithinia*, vnto *Valentinian*,
 and that this was his answere to their petition. Euen so
Socrates an other of the same tripartite hystorians affirmeth
 that this suite was made by the *Macedonians*, vnto *Valens* the
 Emperour, who graunted them their petition, the rather
 supposing, that the mater should haue ben determined in
 that counceyl, after the mindes of *Eudoxius* & *Acatius*. And it
 is not from the purpose to note which of these Emperours
 caused this counceyl to be called, for the one of the, *Valentinian*
 was a catholique Emperour, the other *Valens* an Arian.
 Secondly you do falsely report the story, for the Bishops
 of *Helleſpontus* & *Bithinia*, did not make suite vnto the Empe-
 rour *Valentinian*, that he would be present in the counceyl: but by
 their messenger, did humbly beseeche him, that he would co-
 munde al the Bishops, as *Nicephorus* reporteth it, or þe he wold
 suffer and geue leue vnto the Bishops to haue a Synode
 or counceyl, which they held after licence obtained at *Lamp-*
sacum, as *Socrates* and *Sozomenus*, the Tripartite Hystorians,
 make relation. Thirdly, the Emperour dooth not simply
 refuse or denie the searche and diligent enquire of these
 matters as thinges nothing appertaining to his office, or
 not lawfull for him to enquire of: as ye woulde haue it

Lib. 6. ca. 7.

Lib. 4. ca. 2.

Lib. ii. ca. 3.

seeme, but excuseth himselfe by his earnest business and want of leysure, sayng, *It is not lawfull*: (meaning that his leysure, from the waighty matters of the common weale, and iust oportunitie, woulde not easely nowe suffer him) to trauaile in those causes; and therefore referreth the ex-
 asisting of those thinges to them, whose offices and charge, was properly to be occupied in those matters. That this is the true purpozte of his woordes in his right sense and meaning, appereth plainly by the due circumstances set forth in the stozy, and also by *Nicephorus* an Ecclesiastical histoziā, who rightly vnderstode his meaning, and repozteth it in these woordes: *Mihi negotijs occupato, & reip. curis distento res eiusmodi inquirere, nō facile est. It is no light or easy matter for me, that am nowe occupied with busineses, and filled so ful as I may be, with the cares of the cōmon weale, to enquire or searche suche matters.* Last of al, whether the catholique Bishops of *Helespontus* and *Bithynia*, required the Emperours pzelesence in the counsell, as ye affirme, or they required therewith his labour and trauaile in the debating or searching the truthe of matter, whiche may seeme at the first by the bare woozdes of his aunswere: or they desired onely licence of him and permission to asseble together in Synode or counsell, to determine and decreē with the truthe, against the Arianismes, whiche the moske and best parte of the Histoziāns agree vnto. Their sute and humble petition, maketh plainly against your presumptuous assertion, in that they acknowledged thereby the iurisdiction to call councelles, to be in the Emperour, and not in Bishoppes or Priestes, without spectall leaue, licence, & commission from the Prince. For if the power and iurisdiction to call councels, had ben in them selues without the Emperours cōmission, what needed them to haue craued licence of the Emperour?

And

And if it had not bene lawfull for the Emperour to haue bene present in the Councell, and to haue dealte in the diligent searche and debating of matters in Religio, then these Catholique Bishoppes did wickedly, who as you say moued him thereunto. Although yee vntruely report the story of *Theodosius* the Emperour, and *Ambrose* the Bishop of *Myllaine*, yet can you not by any meanes wraffe it, to serue your purpose any whit at all. For if it were true, that *Ambrose* forbade *Theodosius* the Emperour the entrance into the Chauncell: or that the Emperour had said to him, that he had learned the difference betwixt an Emperour & a Priest, yet can you not conclude therof: therfore Bishoppes and Priests haue power & authoritie to make lawes, orders and decrees to their flockes and cures, and to exercise the seconde kinde of Cohibitive Jurisdiction ouer them. *Theodosius*, as the authour writeth, came into the Chauncell to offer his oblation, whereat *S. Ambrose* founde no fault: But when he stayed there still to receiue there the holy Mysteries, *S. Ambrose* sent him worde to go forth and abide with the other of the Church, for that place was onely for the Priests: For which monicion the Emperour was returned to Constantinople, and came on a time into the inwarde place or Chauncell to offer his oblation, and went forth againe so soone as he had offered, *Nectarius* the Bishop demaunded of him, wherefore he tarried not still within, meaninge to receiue the holy mysteries: To whom the Emperour maketh answere, saying: I haue scarcely learned the difference betwixt an Emperour and a Priest.

Theod. li. 5.
cap. 12.

M. Fekenham.

M. Iohn Caluine, intreatinge of the Histories betwixte these Emperours. *Valentianus*, *Theodosius*, and *S. Ambrose*, after a longe procelle wherein he maketh good proufe, that all spi-

Cal. Inst.
cap. 2.

Cal. in 7.
cap. Amos
proph.

rituall iurisdiction doth appertaine vnto the Church, and not vnto the Empyre, he hath these vwoordes follovyng: *Qui vt magistratum ornent, Ecclesiam spoliant hac potestate, non modo falsa interpretatione Christi sententiā corrumpunt sed sanctos omnes Episcopos, qui tam multi à tempore Apostolorum extiterunt, non leuiter damnant. Quod honorem officiumque Magistratus falso prætenu sibi usurpauerint.* Now they doo spoyle the Church of that authoritie, thereby to adorne temporall Magistrates, not onely by corruptinge Christ his appointment and meaninge therein: But also they lightly condemne and set at naught all those holy Bishops, which in so great number haue continued from the time of the Apostles hitherto, which honour and office of Spirituall gouernement they haue (saith Iohn Calvin) vsurped and taken vpon them by a false pretext and title made thereof. And againe Iohn Calvin saith, *Qui in initio tantopere extulerunt Henricum regem Angliæ, certe fuerunt homines inconsiderati. Dederunt illi summam omnium potestatem. Et hoc me semper grauius vulnerauit, erant enim blasphemæ cum vocarent ipsum summum caput Ecclesiæ sub Christo.* They whiche in the beginnyng did so much extoll Henry king of England, and which did geue vnto him the highest authoritie in the Church, they were men whiche lacked circumspection, and of small consideration: whiche thing (saith Iohn Calvin) did at all times offende me very muche, for they did commit blasphemy, and were blasphemers, when they did call him the Supreme head of the Church.

The B. of Wyndchester.

The collector of your comon places did beguile you, which you would haue perceiued, if you had redde M. Calvin with your owne eyes. He entreateth not in that place of the Histories betwixt the Emperours *Valentinianus, Theodosius, and S. Ambrose*. He consulteth the opinion of such, as thinke the Iurisdiction that Christ gaue vnto his church, to be but for a time, whilst the Magistrates were as yet vnfaithfull, and proueth that the Iurisdiction of the Church was geuen of Christe to remaine till his seconde comminge, and belongeth onely to the Church, and not to the Prince, Bishoppe or Priest, without speciall

etiall commission from the Church. The which Ecclesiasticall Jurisdiction, I comprehended vnder the firste kinde of Cohibitory Jurisdiction. You doe M. Calvin not double, but quadzuple, yee muche moze wzonge about the citinge of his sentence, for as yee haue vntrusely reported the circumstance of his sentence, so haue you hackte from the beginninge thereof one materiall woorde, parte of it you haue obscurely translated, the other parte falsely, and by altering his wordes and sence, yee haue belied him, slandered the auncient Bishops, and haue asquashed M. Calvin (if those were his wordes and meaning, which you in your translation father vppon him) directly against your selfe: which you meant not, for yee thought (as I suppose) you had so cunningly handeled him, y he should haue serued your turne. If this your euil dealing with M. Calvin, proceeded of ignorance, for y his Latine was to fine for your grosse vnderstanding, yee are somewhat to be bozne withall: but if you haue thus dealt of purpose, than your malice is ouer great, and yee shewe your selfe shameles to deale so vntruthfully, & that in the sight of all men. After y M. Calvin hath proued, that our sauour Christ gaue the discipline of excommunication vnto the Church, to be exercised continually by y same: to y censure wherof all estates ought to submitte them selues, for if he be an Emperour, he is within, or vnder, & not aboue the Church. He concludeth with this sentence: Quare illi, qui vt Magistratū ornent &c. vwherefore they whiche to adorne the Magistrate, doo spyle the Church of this power (to exercise y discipline of excommunication) doo not onely corrupt Christs sentence with a false interpretation: but doo also, not lightly condemne all the holy Bishoppes, whiche were so many from the Apostles time: for so muche as they (all the holy Bishoppes) haue vsurped to them selues the honour and office of the (civill) Magistrate vnder a false pretense or coullour.

The

The first worde of the sentence which knitteth the same, as a conclusion to that that goeth before, ye haue left out. How darkely ye haue translated the first parte of the periode, may appeare by conferre of your translation with the Authours wordes. The last part ye haue *falsely* translated, turninge the Coniunction into a Pronome relative, and translatinge this worde Magistratus (whereby Caluine meaneth the ciuill Magistrate) by these wordes *spirituall gouernment*, and so haue cleane altered bothe the wordes and sence of M. Caluine, and yet shame not to belie him, saying (Iohn Caluin saith) whiche he saith not. But it is M. Feckenham that saith, and so believeth Caluin, and slandereth the auncient Bishoppes, as though they (for to them this, *they*, hath relation) had taken vpon them the office of the Magistrate: as they had done in dede, if all manner correction & iudgement had belonged to the Magistrate, and none at al to the Church, by whose commission they exercised this iurisdiction. If this were M. Caluines saying, as ye translate him, that they (all the holy Bishoppes from the Apostles time) haue vsurped and taken vpon them the honour & office of Spirituall gouernment, by a false pretext and title made thereof, than haue you alledged M. Caluin against your selfe, for this sentece, if it were true, ouerthroweth your purpose nothing more. And againe Iohn Caluin writing vppon Amos the Prophet, is by you alledged to as little purpose: For be it that they whiche attributed to King Henry of famous memory, so muche authority (whiche græued Caluin) were men not well aduised in so doinge, and that they were blasphemours, that called him the supreme head of the Church, (ye know who they were that first gaue to him that title and authority) yet your conclusion followeth not hereof. Therefore Bishops and Prelles haue authority to make

Lawes,

Lawes, orders, and decrees, &c. to their flockes and cures,
no moze than of his former sayng. Chzist gaue to his
Churche this authoritie to excommunicate, to binde and
to loose. Therfore Bishops & Priests may make Lawes,
orders, and decrees, to their flockes and cures.

M. Fekenham.

Hosius Episcopus Cordubensis, qui Synodo Nicence primæ interfuit
Sic habet, sicut testatur D. Athanasius aduersus Constantium Imp. Si
istud est iudicium Episcoporum, quid commune cum eo habet Impera-
tor? Sin contra, ista minis Caesaris constantur, quid opus est hominibus
titulo Episcopis? Quando à condito tuo auditum? quando iudicium
Ecclesiæ authoritatem suam ab Imperatore accepit? aut quando vnquā
pro iudicio agnatum? Plurimæ ante hac Synodi fuerunt, multa iudicia
Ecclesiæ habita sunt: Sed neque patres istiusmodi res principi persuadere
conati sunt, nec princeps se in rebus Ecclesiasticis curiosum præbuit:
nunc autem nouum quoddam spectaculum ab Ariana heresi editur, cō-
uenerunt enim Hæretici & Constantius Imperator, vt ille quidem sub
prætextu Episcoporum, sua potestate aduersos eos quos vult vtatur.

Athanas, in
Epist, ad so-
litar, vit. a-
gentes.

The B. of Winchester.

As it is very true, that Hosius Bishoppe of Corduba in
Spaine, was in the first councell of Nica, so is it as vn-
true that these be his wordes, which you haue cited in his
name, for they be the saynges of Athanasius, and not of Ho-
sius. Wherein ye haue done Athanasius threefolde wronge,
first to attribute his writings to an other, then also to
cause him therein to beare false witness against him self,
and thirdly, in that ye haue left out the first worde of his
sentence, whiche is a materiall worde, and bringeth in
this his sayng, as a reason of that whiche goeth before.
Athanasius findeth him selfe grieved, that both he and many
other Godly Bishops for the truthe it selfe, suffered much
crueltie, and were wrongfully condemned, not according
to the order of the Ecclesiasticall iudgement, but by the

Wh

cruell

cruell threathes of the Emperour *Constantius* beinge an A-
 rian and a fierce mainteinour of the Arianisme. Who
 notwithstanding subtilly couered his vngodly dealinge
 vnder the pretence of a iudgement or sentence past by Bi-
 shops in Synode or conuocation, whiche he called Epis-
 copale iudicium, a Bishoply iudgement. But saith *Athana-
 sius*, *Constantius* can not so hide him selfe, seeinge that there is at hand
 that can plainly be tray his wilines, for if this be the iudgement of
 Bishoppes, what hath the Emperour to doo therewith. But if on the
 contrary side these things be brought to passe through Casars threates,
 what needeth men, that haue but the name of Bishoppes, &c. There
 are two thinges necessarily to be considered, for to vnder-
 stande rightly the true meaning of *Athanasius* in this place
 by you alledged: first what was required to that whiche
 he calleth the iudgement belonging to Bishoppes, or the
 Bishoply iudgement. Then what was the dooinges of
Constantius, pretending a iudgement of Bishoppes. *Libe-
 rius* the Bishop of Rome, as *Athanasius* reporteth in this
 same Epistle require in a Synode Ecclesiasticall, that it be
 free from feare, farre from the palaice, where neither the Emperour
 is present, neither the Earle or Capitaine thrusteth in him selfe, nor
 yet the Iudge dooth threaten. He meaneth that it be free from
 feare, threathes, and without this, that the Emperour
 or Rulers, do lymitte or prescribe to the Bishoppes what
 they shoulde iudge. This appeareth moze plainly by
 S. Ambrose, who also speaketh of the lyke matter, yea
 vnder the same Prince, saynge: *Constantinus* set forth no
 Lawes before hande, but gaue free iudgement to the Priestes. The
 selfe same also did *Constantius*, (in the beginning of his reigne)
 but that whiche he well begonne, was otherwise ended. For the Bi-
 shoppes at the first had written the sincere faith, but when as cer-
 teine men will iudge of the faith within the Palaice, he meaneth
 after the opinion of the Courtiers and prescription of the
 Prince,

Ad Valent.
 Epist. 32.

Since, otherwise it was not lawfull to iudge of mat-
 ters, concerning faith within the Princes Palace, the
 Prince also being present, for the first Nicene councell
 was holden within the Emperours Palace, and he him-
 selfe was present amongst them: They brought this to passe,
 that those iudgements of the Bishoppes were chaunged by Circum-
 scriptions. When is required in a Synode (saith he) that
 the onely feare of God, and the institutions of the Apostles, doo suffice
 to all things. Next, that the right faith be approved, and He-
 resies, with the maintainers thereof, be cast out of the councell, and
 then to iudge of the persones that are accused of any faulte. So
 that the Bishoply session or iudgement, must have free-
 dome, must iudge by the onely woorde of God, muste
 haue the Bishops that doo iudge to be of the right faith,
 and must first examine the Religion and faith of the par-
 tie accused, and then his faith. Constantius, who not-
 withstanding that he did pretende a Bishoply iudgement,
 used none of these obseruauntes, but the cleane contrary.
 For as Athanasius complayneth in this Epistle, the Em-
 perour wrought all together with threats, menasinge the Bi-
 shoppes other to subscribe against Athanasius, or to departe from their
 Churches: Who so gaynsaide the subscription, receiued to
 rewarde, either death or exile. He without any perswasion with rea-
 sons, compelleth all men by force and violence, in so muche as many Bi-
 shoppes after wardes excused them selues, that they did not subscribe
 of their owne voluntary, but were compelled by force. Where as,
 (saith he) the faith is not to be set forth with woordes or darts,
 or by warrelke force, but by counsailling and perswadinge. He in
 the steade of Gods woode, used his own will, appointinge
 and prescribing what should be determined, answering &
 godly bishops, who objected against his vnoorderly doings,
 & ecclesiastical Canons: *at quod ego volo pro Canone fir.*

Libertus apud Athanas.

Ep 2

Let my

Let my Will stande for the Canon. Pretending a iudgement of Bishops, he doth what so euer liketh himselfe. Where as *Hosius* saith, cited by *Athanasius* in this Epistle: The Emperour ought to learne these thinges of the Bishoppes, and not to commaunde or teache them what to iudge in this kinde of iudgement, for the Prince shoulde not shewe him selfe so busy or curious in Ecclesiasticall thinges, that his will and pleasure shoulde rule or guyde them, in steade of Gods worde, and the godly Canons of the fathers. *Constantius* woulde haue no other Bishops but Arians, whiche were no Bishoppes in deede, as *Athanasius* saith, and much lesse apt to iudge of the matter, touching a principall article of our faith, or of the faithfull Bishop *Athanasius*: and taking his heresy as an vndoubted truthe, that might not be called into question, he sought by all meanes, to haue *Athanasius* condemned, and al Bishops to refuse his communion, and to communicate with the Ari-
 ans. These disorderly dealinges of the Emperour, *Athana-*
sius condemneth, as directly against the order of Ecclesiasti-
 call session or Synode, how so euer he pretended vnder the
 colour of the Bishoply iudgement, to abuse his owne po-
 wer and authoritie after his owne luste against whom he
 woulde. You would haue it seeme to the ignoraunt, that
Athanasius mynde in this place were to denie, that Princes
 shoulde medle or deale in Ecclesiastical thinges or causes,
 which is farre fro his meaning: for he him self with many
 other godly bishops, as I haue shewed before, did acknow-
 ledge the Princes authoritie herein, & in this same epistle
 he him selfe confesseth this Emperours authoritie to call
 councels, & citeth *Hosius* also, who enclineth to that purpose,
 both of the confessing, y^e *Constant* & *Constantius* Theperours,
 did cal al the Bishops to y^e councel, which he calleth *surdicese*
consilium: about the accusatiōs & crimes laid in against *Atha-*
nasius. And *Theodore* affirmeth, y^e this Emperour *Constantine*
 called

called a Synode at Millaine about suche like matter, at whose callinge the faithfull Bishops assembled, parentes regio edicto, obeying the Kinges summons: which they would not haue done, if it had bene unlawfull for him to haue had any dainges about councelles. But when he abused his authoritie in the coucel, as though his power had bene absolute, without limites or boundes, willinge them, yea cōpelling them, to doe after his wil against god conscience, they would not obey him. Quin etiam palam praesentem regem, coarguebant impij & iniusti imperij, but did openly reprove the Kinge for his wicked and vniust rule or cōmaundement: whereby is manifest, that Athanasius, speaketh not against the Princes authoritie in Ecclesiasticall matters, but against his tyranny, and the abusinge of that authoritie, whiche God hath geuen him, wherewith to mynister vnto Goddes will, and not to rule after his owne lust: they commend the authoritie, but they reprove y disorderly abuse thereof. Now let vs see how this saying of Athanasius helpeth your cause. Constantine the Emperour dealt vnderly and after his owne luste against Athanasius and others, pretendinge neuerthelesse the iudgement of Bishoppes, whiche Athanasius misliketh, as is plaine in this place auouched: Ergo, Bishops and Pastors may make lawes, decrees, orders, and exercise the second kinde of Cohibitive Jurisdiction ouer their flockes and cures, without commission from the Prince or other authoritie: I doubt not but yee see suche faulte in this sequele that yee are, or at leaste yee ought, to be ashamed thereof.

M. Fekenham.

Almighty God saith by his Prophete Hieremy, yvhich vvas both a Prophet and a Priest. Ecce dedi verba mea in ore tuo. Ecce Hier. 1.

consequi te hodie super gentes & super regna, vt ouellas & destruas &

Thy 3

disperdas

Greg. Nazian. de
Hier. dict.
oratione. 18
ad subditos
timore per
culos &
Imperato-
re irascen-
tem.
Ezech. 34.

disperdas, & dissipas, & edifices, & plantes. Gregorius Nazianzenus sermone de dictis Hieremize ad Iulianum Imperatorem: Putas ne patimini ut verum vobiscum agam, suscipitis ne libertatem verbi & libenter accipitis quod lex Christi sacerdotali vos nostræ subisset potestati, atque iustis tribunalibus subdit? Dedit enim nobis potestatem, dedit principatum multo perfectiorem principatibus vestris, aut nunquid iustum videtur si cedat spiritus carni, si à terrenis caelestia superentur, si diuinis preferantur humana? Sed patienter queso accipite libertatem nostram. Scio te quem esse gregis mei, scio te intra sacra altaria cum veneratione subijci manibus sacerdotis, &c.

And by this Prophete Ezechiel almighty God saith: Ye pastors of Israel, quod infirmum fuit non consolidastis, quod aegrotum non sanastis, quod contractum non alligastis quod abiectum non reduxistis, quod perierat non quaesistis. Into the which maledictions and curses, the Bishoppes and Priestes muste needes encounter if they haue no Iurisdiction ouer their flocke, if they may not visite them, if they may not reforme them, if they may not order and correct them at all times as they shall see cause.

Chrysost.
hom. 5. de
verb. Esa.

Chrysostomus Homil. 5. de verbis Esae, vbi sacerdotem astruit esse medium inter Deum & Hominem, nullumque honorem in terris illius honori posse conferri.

Ign. Epist.
7. ad Smyr-
naens.

And therefore here to conclude this my objection vnto your L. answer, I shall here finish the same, sayinge with the blessed martyr Ignatius, S. Iohn the Euangelistes disciple. Quod nemo præter Episcopum aliquid agat eorum quæ ad Ecclesiam pertinent. And so to adioyne hereunto the sayinge of S. Augustine, vwho in speaking, Contra Iulianum, ait de doctoribus Ecclesie: quod credunt, credo: quod tenent, teneo: quod docent, doceo: quod prædicant, prædico: istis cede, & mihi cedes, &c.

The B. of Wyndesore.

In all this parte there is not one sentence, that can be drawn by any force to helpe your cause. It sufficed you to heape vp a sorte of testimonies together, to make a shew although nothing to the purpose. Yea the wordes spoken to the Prophet Hieremy maketh plainly against you. For they shew that the mynisters in Gods Church, haue authoritie to plucke by by the rootes, and to destroy

cuilles

euilles and the kingdome of Satan: to plante good thinges, and to edifie the Church: as the glose enterlined hath it, or all manner wicked and false doctrine, and what so euer the heauenly Father hath not planted, as the glose ordinary expoundeth it. But the meanes whereby this iurisdiction and authoritie is exercised, is limited and appointed in these wordes: Beholde, I haue put my wordes in thy mouth, saith the God to Hieremy. So that other iurisdiction ouer people & kingdomes, than the preaching of Goddes worde Hieremy had not. Hieremys mouth is touched, saith y^e glose ordinary, and the Lordes wordes are geuen (to him) that he shoulde receiue boldenes to preache. Of this boldenes to preache the worde of God, speaketh Gregory Nazianz, in the place by you alledged. After he had comforted his hearers, he tourneth his speache to the Princes, and suche as were in authoritie, muste wee spare you (saith he) because of your power, as though we feared, or were ashamed of the libertie geuen vs of Christe? Christes lawe hath made you subiect to my power, and to my iudgement seate. He speaketh of a spirituall subiection by faith, & obedience to the mynister, exhortinge, comfortinge, and edifying to eternall life by the worde of God. And he addeth more expessedly what maner of rule or empyre he challengeth, namely suche as bringeth the fleashe to be subiect to the spyzite, suche as maketh earthly thinges subiect to Heauenly. And the subiection he requireth is none other, than such as the spiritual shepe oweth to the spiritual pastour, whose rule and subiection Christe uttereth in this sentence: My sheepe Ioan. 10. heare my voice and follow me. I know saith Nazianzene to the Emperour, that thou arte as sheepe of my flocke, and thereupon he concludeth that he muste boldly preache the worde to the Emperour, & that he on the other side is subiect therto & ought to obey. And this is the prope iurisdiction that belongeth to the Bishoppes & Priestes, the whiche if they exercise

exercise with all possible diligence & faithfulness, they shall
 escape the curses that the Prophet Ezechiel menaceth:
 As contrarywise if they vse neuer so princely, pour popish,
 or rather pompous Canon Lawe iurisdiction, whiche con-
 sisteth in Courtly consistories, & Forinsecall iudgements,
 farre disagreeinge from the right iurisdiction of true and
 Christianlike Prelates, they shal not in y ende escape the
 deserued maledictions, and curses threathned to such by the
 Prophet Ezechiel. Chrysostome in the homily by you ci-
 ted condemning the presumptuousnes of the kinge Orias,
 in enterprising to offer incense, whiche belonged by Gods
 comaundement onely to the Priest, doth compare the ob-
 iect or matter of bothe these Mysteries together, affir-
 minge, that the Priestly dignity respectinge the matter
 whereabout it is exercised, whiche is heavenly and spiri-
 tuall, doth farre exceede the other, for y the matter thereof
 is but earthly and outwarde. His wordes maketh his
 meaninge plaine: The kingly throne (saith he) hath the admi-
 nistration of earthly thinges, and hath not beyöde this power any fur-
 ther authority. But the throne of the Priest is placed in heauen, and he
 hath authority to pronounce of heavenly busineses, who saith these
 thinges? the kinge of heauen him selfe: What so euer yee binde vppon
 earthe, shalbe bounde in heaue also: and what so euer ye loose on earth,
 shalbe loose in heauen also, what may be cöpared with this honour?
 Heauen taketh of the earth principall authority to iudge. For the iudge
 sitteth in the earthe: the Lorde (Christe) followeth the seruante, and
 what so euer this (seruant) iudgeth in the inferiour (partes) that
 same he (Christ) approueth in Heauen. Therefore the Priest standeth
 a meane or mediator betwixt God and mans nature, bringyng vnto
 vs the benefites that comme from thense (from Heauen) to. These
 wordes of Chrysostome if they haue not an indifferent in-
 terpretour, that will make his wordes by iuste circum-
 stance to serue his meaninge, and not to binde his mea-
 ninge

ninge to his bare woozdes, will make Heauen to receiue authoritie of the Earth: will proue Chyſte to be inferiour to the Prieſte, and the Prieſt to haue the mediation betwixt God and man, by meanes whereof wee may receiue the Graces that cummeth from Heauen, whiche mediation belongeth onely to Chyſte.

Now ſith in al theſe obiections hitherto, ye haue brought forth the nothinge at all, that eyther made not againſte your ſelfe, or that maketh any whitte for you, it is moze then time yee drawe to Concluſion, and bycauſe no good Concluſion, can followe of euill premiſſes, yee were dyuen to conclud, & finiſhe by your obiection with the like patchinge, wreſtinge and falſifyinge your Authours, as yee did befoze: and therefore in the Concluſion, like to him, that hauinge no right to any, claymed all, to obtaine ſomewhat at the leaſt: Euen ſo you, to proue that your Biſhops, and prieſtes haue al iuriſdiction Eccleſiaſtical, alleage a peece of a ſentence out of *Ignatius*, which barely by it ſelfe recited, gæueth not onely all that vnto the Biſhop but al thinges belonginge to the Church beſides, and that no man may do any thinge, not ſo muche as toll a bell to ſeruiſe, or ſweepe the Church, but onely the Biſhop muſt dooe all alone. Whiche concluſion ſome of your complices would ſo litle allowe, as thoſe whom yee would ouerburden, and yee your ſelfe might go play you, as one that had naught to doo, in any thinge pertaininge to the Church. But to helpe the matter, and to make *Ignatius* woozdes plaine without abſurditie, you muſt take with you the reſidue of the ſentence that followeth, which yee leaue out, of *The ſacrament of Thankesgeuinge, and Celebratinge the Diuine ſeruiſe*, and then it ſhall eaſily appeare, that *Ignatius* ſpeaketh of ſuche dooinges of a Biſhop, as in dedde declare his function & office, & yet furthereth no whit the Concluſion

of your obiection. So that your Conclusion beyng yet as insufficient as the rest, you are faine to adioyne an other peece thereunto : *Wherein* although yee shewe howe euill a soygner you bee, to adioygne those two peeces of sentences togeather in one Conclusion, that are of cleane sundry matters, yet in one poynte yee haue made them bothe agree, that as yee wrested the one, so ye not onely wrest, but flatly falsifie the other, and yet neither of them bothe stande you in any steade, to helpe your obiection, muche lesse to conclude the same. For fyrst, how dooth this followe : *S. Augustine saith (say you) of the Doctours of the Churche : That they beleue, I beleue : that they holde, I holde : that they teache, I teache : that they preache, I preache : yeelde to them, and thou shalte yelde to me . Ergo, Bishoppes and Priestes haue power and authoritie to make lawes, orders, and Decrees, and to vse all cohibitiue iurisdiction ouer their flockes and cures. Howe if your freendes that haue beleued hitherto as you beleue, haue helde as you holde, taught as you teache, preache as you preache, and beleuinge the byright dealinge and conscience, that you pretende, haue yelded vnto you herein, do but a litle examine your false dealing with those Fathers, whom you would seeme so wholly to folowe, I thinke they woulde no longer beleue you, holde with you, nor yelde vnto you, but suspecte you as a deepe dissembler, or rather abhorre you, as an open sclaunderer and belyer, not onely of me, but of the auncient Fathers them selues. For firste I woulde learne of you, where *S. Augustine* hath those wordes, in all his sixe bookes against *Iulian*, *istis cedo & mihi cedas*, if he haue them, shewe where : if he haue them not, then howe dooe ye folowe *S. Augustine* ? Howe dare you impudently saye, ye preache and teache that he did, when ye manifestly mangle, alter, peruert, and corrupt the say-

page*

ynge that he did teache. In deede for fashions sake ye cite
a pce of S. Augustines sentence, *that they beleue I beleue,*
et. but for that which followeth istis cede & me non cæ-
des: *yelde to them and thou shalt not strike or whippe me:* you haue
put in these woozdes, istis cede & mihi cedes, *yelde to them*
and thou shalt yelde to me: and yet this corrupting of the sen-
tence maketh it serue nowhit the more for your purpose,
but vttereth your falshood: that belike will not spare to
corrupt that which maketh flat against you, that thus
use to corrupt this, which maketh neither to nor fro with
you, nor against me. But as S. Augustine writinge in
the same matter against Julian, a Disciple of Pelagius, an
Englishe Donke, dealing with S. Augustine, as ye haue
doone with me, saide to Julian: so saye I to you. *Ye feine me*
to saie that I saie not, to conclude that I conclude not, to graunte that I
graunte not, and you conclude to your selfe that which I denie, &c.

Lib. 3.

In deede you haue laboured more to finde out those reasons which ye
might better vtter against your selfe than against me. But in suche a
cause ye should not neede to take suche peines, if you had any shame
in you. S. Augustine in these bookes against Julian, as
in his other against the Donatistes, (as I haue declared
before) did attribute vnto the Emperours and Princes,
the Bishoppes and Priestes, suche Ecclesiasticall Ju-
risdiction as I haue doone. Of the same mynde that
hee was herein, were also those fathers, that he cy-
teth. Wherefore you wyl now I truste, accorde
to your promyse, yelde and relente: If not to me for
stubborne harte: yea accorde to your conclusion to
S. Augustine, and the auncient Fathers, to beleue
herein that they beleue, to holde that they holde, to
teache that they teache, to preache that they preache,
and no moare to wyng, mayhem, flander and
belpe them.

Lib. 5.

And than bothe I and all other

I 2

faithfull

of your oblection. So that your Conclusion beyng yet as insufficient as the rest, you are saine to adioyne an other pce thereunto: *Wherein* although yee shewe howe euill a soygner you bee, to adioygne those two pces of sentences togeather in one Conclusion, that are of cleane sundry matters, yet in one poynte yee haue made them bothe agree, that as yee wrested the one, so ye not onely wrest, but flatly falsifie the other, and yet neither of them bothe stande you in any steade, to helpe your oblection, muche lesse to conclude the same. For fyrst, how dooth this followe: *S. Augustine saith (say you) of the Doctours of the Church: That they beleue, I beleue: that they holde, I holde: that they teache, I teache: that they preach, I preach: yeelde to them, and thou shalte yeelde to me.* Ergo, Bishoppes and Pastors haue power and authoritie to make lawes, orders, and Decrees, and to vse all cohibittive iurisdiction ouer their flockes and cures. Howe if your freendes that haue beleued hitherto as you beleue, haue helde as you holde, taught as you teache, preach as you preach, and beleuinge the vpright dealinge and conscience, that you pretend, haue yeldd vnto you herein, do but a litle examine your false dealing with those Fathers, whom you would seeme so wholly to folowe, I thinke they woulde no longer beleue you, holde with you, nor yelde vnto you, but suspecte you as a deepe dissembler, or rather abhorre you, as an open sclaunderer and belyer, not onely of me, but of the auncient Fathers them selues. For firste I woulde learne of you, where *S. Augustine* hath those woordes, in all his sixe bookes against *Julian*, *Istis cede & mihi cedes*, if he haue them, shewe where: if he haue them not, then howe dooe ye folowe *S. Augustine*? Howe dare you impudently saye, ye preach and teache that he did, when ye manifestly mangle, alter, peruert, and corrupt the saynge

ynge that he did teache. In deede for fashions sake ye cite
a peece of S. Augustines sentence, *that they beleue I beleue,*
et. but for that which followeth istis cede & me non ca-
des: yelde to them and thou shalt not strike or whippe me: you haue
put in these wooordes, istis cede & mihi cedes, yelde to them
and thou shalt yelde to me: and yet this corrupting of the sen-
tence maketh it serue nowhit the more for your purpose,
but vttereth your falshood: that belike will not spare to
corrupt that which maketh flat against you, that thus
use to corrupt this, which maketh neither to nor fro with
you, nor against me. But as S. Augustine writinge in
the same matter against Julian, a Disciple of Pelagius, an
Englishe Monk, dealing with S. Augustine, as ye haue
doon with me, saide to Julian: so saye I to you. Ye feine me
to saie that I saie not, to conclude that I conclude not, to graunte that I
graunte not, and you conclude to your selfe that which I denie, &c.

Lib. 3.

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in his other against the Donatistes, (as I haue declared
before) did attribute vnto the Emperours and Princes,
the Bishoppes and Priestes, suche Ecclesiasticall Ju-
risdiction as I haue doone. Of the same mynde that
hee was herein, were also those fathers, that he cy-
teth. Wherefore you wyll nowe I truste, accordinge
to your promise, yelde and relente: If not to me for
subborne harte: yea accordynge to your conclusion to
S. Augustine, and the aunient Fathers, to beleue
herein that they beleue, to holde that they holde, to
teache that they teache, to Preache that they preache,
and no moare to wyngge, mayhem, slander and
helpe them.

Lib. 5.

And than bothe I and all other

I 1 2

faithfull

faithful Chzistians will both better belkene you, and geue
God thanks for you.

M. Fekenham.

After longe expectation, and many promises, his L. final
ansvveare to the saide obiections, vvas as hereafter folovveth.
For as muche as I doo perceiue, that you are not to be resolued
in this matter, I shall here staie and proceede no further vvith
you in the same: and like as you haue bene, so you shall halbe vn-
to me most hartely vvelcome: You shall lacke nothinge that
is in my house to pleasure you: And from hencefoorth I shall
leauē to haue any further talke or conferēce vvith you in these
controuersies of Religion. And for all suche talke and vvry-
tinge as hath passed already betwene vs, I shall perfourme
this my promise, bothe firste and last made vnto you, that you
shall halbe vvell assured, not to suffer any hurte or damage therby.

The B. of Wynchester.

You deliuered this obiection vnto me in wryttinge, be-
twixte Easter and Whitsontide, about the ende of April:
Within two daies folowinge, when I had redde the same,
I tould you, that in the collection of your common places,
you were muche abused, for that you had mistaken them,
and obserued no iuste circumstances of the authorities,
wherby to haue knowen the authours meaning: And
so wee continued in debatinge and reasoninge, from time
to time, about this matter of Iurisdiction, and others, vn-
till the beginning of September folowinge, befoze which
time, your obstinacy grewe so muche, that I was forced,
through your vnorderly behauiour, to restraigne you of
your licentious talke, and sequester you from conference
vvith any, hauinge so muche befoze abused your selfe, and
especially in mine absence, and I was the rather moued
so to doo, for that I perceiued all that I did, was but in
vaine: as at diuerse times and often, I repeated that vn-
to

to you, obstinately bent to the contrary, meaninge by
 suche stoutenesse to recouer your credite, which thzough
 your inconstancie was so empai red amongst your frien-
 des. I saide, at your firste comminge, and many times
 after, you beyng sent by the Honourable Councell, that
 you were welcome, whiche by good pzoufe, although vt-
 terly without any your good deserte, y^e sounge true. I did
 say, that I woulde leaue to haue any further talke or con-
 ference with you, touchinge matters of Religion, or any
 other: but you shoulde haue shewed the time and place,
 where, and when these woordes were spoken: I spake
 them the Sunday at after diner, when in your gallo-
 ry, I did reprove you of your disorders, and therefore re-
 streigned you of suche libertie, as besoze yee had enioyed.
 The promise made vnto you, not to vtter that whiche yee
 shoulde say by way of reasoninge, in pzειudize of the M.
 Maisties Lawes, I haue hitherto, & yet doo firmly keepe
 to you, as you can not iustly chardge me with the contra-
 ry, in any particuler pointe, and so you haue susteined no
 hurte or damage thereby.

M. Fekenham.

The perfourminge of his promise vvas as hereafter folo-
 vveith. First there vvas a rumour sperced abroad very short-
 ly after by his seruantes, that I had subscribed to certaine Arti-
 cles, tenne in number.

Seconde, there vvas by his seruantes a further rumour rai-
 sed, of my recantation, tyme and place appointed therof to be
 at the Parische Church of VValingham, vwhere his L. did then
 manure and abide.

Thirdely, his L. did at his open table, and in the præsence
 of many, chardge me vvith the change of my Religion nine
 times, and beinge put in further remembrance by one M. Denny
 vvho vvas a sogener vvith him, his L. saide, that I had altered
 and changed my Religion, not onely nine times, but nineteene

times, and that I vvas of no Religion.

Fourth, his L. did permitte the saide M. Denny at his open table to abuse me. VVhere the saide M. Denny did openly and before many, chardge me vvith these three crimes followyng, First vvith incontineny of life, thus sayinge: That if I had not as many children as he, he did knowve that I had deserved to haue so many. Seconde vvith Gluttony, affirminge that I vvas an Epicure. Third and laste vvith Hypocrysie, and that I vvas a great dissembler and an Ipocrite. The saide M. Denny beyng a man to me vvholly vnknowven. His L. did shevve him selfe openly to be so vvell pleased vvith these his slanderours vvordes, that he mynistred iuste occasion for me to thinke that his L. had procured the said M. Denny thereunto.

Fifth, by so muche the more, I had good cause to thinke so, for that his L. did immediatly thereuppon, viz. vvithin one howver after, in fortifyng the saide talke commaunde me to close imprisonment.

Sixth, and laste after that he had kepte me fixe vveekes in close imprisonment, by his L. complainte I am novve at this present prysoner in the Towver, muche contrary to his promise before made.

The premisses beyng true (like as they are all moste true) beyng to openly committed and before to many vvitnesses to be denied. Your honour may easily iudge vvith vvhat vvisdome, discrecion, and charity I haue beene vsed, I being a poore man, the Q. Maiesties prisonner and to his L. committed (I dare boldly affirme) to be vvell vsed. It vvas very straunge to me to see suche behauiour openly shevved at the table of suche a man. Surely for mine ovvne parte, I vvas neuer so vsed, neyther openly or priuately at any mans table before in my vvhole life. My humble sure therfore vnto your honour is, that proufe and triall may be had of my truth herein, and vvhat my desertinges hath beene for the vvhole time of my abode there. In due search and examinacion hereof I doubt not but there shal fall out matter betvvixte vs, either of muche simplicitie and truth, or els of great crafte and falschoode, either of honest, vertuous, and godly, or els dishonest, vicious, and vngodly vsage, and either of muche light, learninge, and knowvledge, or els of very grosse ignoraunce, and palpable darkenes, let it fall
and

and light on the vvhiche side it shall happe, vppon the triall and examination made, I doubt not by Goddes helpe, but that your honour shall haue a full shevve and a sufficient proufe made of euery thinge that hath passed betwene vs. There may be deniall made for a shifte and some shorte time, but for any longe time it may not possible endure, euery thinge being so openly committed and done, so diuerse and many beinge of knowvledge and vvittnes thereof.

The B. of Winchester.

To this challendge of promise bzeache, in these fire pointes: Truly I know not of any rumour spzedde of you, by any of my seruantes, or otherwise that yee subscribed to any Articles, ne, yet euer herde any thing hereof, befoze I sawe the same repozte in your booke published: And if any suche rumour were spzedde by any my seruantes or other, you shoulde haue named him, that he might receiue condigne punishment therefoze.

Seconde, as to the further rumour of your Recantation, I say likewise I vnderstode nothinge but by your owne repozte in your booke, and therefoze referringe the Authour to be punished accordingly, I thinke the punishment ought to light vppon your selfe.

Thirde, as to my chardge of your changynge in Religion. ix. times, yee. xix. times, I said so and that truly vppon proufe of your vnconstant affirminge and denyng, not so fewe times, as I had good experience oft in you, and can haue witnes in the same.

Fourthly, touchinge your abusing by M. Denny, yee misrepozte the Gentleman, as to any thinge that euer was spoken befoze me. But if any suche were, it was as I herde say at my retourne home (for I was abroade in preachynge whan suche scoffinge talke was betwixte you) by occasion of some talke mynistred on your parte to
M. Denny

M. Denny, partely by waste of merie talke betwixte you
 twaine, & partely stirred vp by your vnseemely woozds,
 and yet none of all these in my hearinge. But in the
 last daie, whan I restrained your libertie, you did so
 much befoze me at my table prouoke the saide gentleman
 by calling him Epicure, for that he fasted not as ye saide,
 that I, fearing least **M.** Denny like a younge man should
 geue some euil woozds againe, willed him to say nothing.
 for that I my selfe woulde answere the matter for him:
 mine answere was, that I meruailed why you woulde
 call him Epicure: for if you so thought, because he did eate
 fleashe, & neuer fysh, I saide, he might so well fast with
 fleashe, as with fysh: but if it were so, that he vsed not
 abstineney, I saide in that **M.** Denny did more then you:
 for where you had euery daie in the weeke your three mea-
 les, frydaie and other, the gentleman was contented three
 daies in a weeke, with one meale a daie, and neuer dyd
 eate aboue two. And as it is vnttrue, y either **M.** Denny
 was a man to you vtterly vnknowne, beyng conuersant
 togeather in one house a quarter of a yeere befoze, and in
 familiar company, yea sought many times by you to play
 at the bowles, to walke in the parke, & to be mery togea-
 ther: so is it also vnttrue, that I hearde you so abused as
 I coulde or did like therein, and so vntruely dooe you sur-
 mise, that I shoulde procure **M.** Denny, by any meanes
 to abuse you, as yee malitiousely conceiue of me.

Fiftely, as to the restrainte of your libertie, whiche
 you cal close imprisonment, to haue ben for these talkes be-
 twixte **M.** Denny and you, within one howze after: You
 knowe right well, that your restrainte was not vppon
 that occasion, but vpon your seemely behauiour aboute
 other matters, whereof ye make no mention, least you
 shoulde haue proued your selfe a Lye. After I had in
 fewe

ſelue wordes calmed the ſtoyme that ſeemed would aryſe
 betwixt M. Denny and you. I entred into talke with you
 in matters of Religion, as I was wont to doo daily be-
 fore. The talke was of veniall & mortall ſinne: you haue
 not forgotten the occaſion, I am ſure: ſoꝛ if you haue in
 your remembraunce the Monkish Ieſuites, you cal them
 Ieſuytes, you may remember that a croſſe that came from
 them, gaue the occaſion of the talke in that matter. I pro-
 ued that no ſinne is ſo veniall as it coulde be remitted by
 any ceremony: yea, there is no ſinne but the ſame of it
 ſelfe is mortall, and yet veniall, to be purged by the me-
 rites of Chriſte onely: and that all ſinnes, were they ne-
 uer ſo mortall, were neuertheleſſe veniall, ſauing al only
 the ſinne againſt the holy Ghoſt, whiche is irremiſſible.
 For this my ſayng, and other pointes whiche I condem-
 ned, ye fell into ſuche a rage, that ye not onely rayled a-
 gainſt the Biſhop of Sarisbury, ſayng: he was vtterly
 vnlearned, and that he ſhould neuer be hable to anſwere
 M. Hardinges booke, but alſo openly called me almoſte in
 plaine termes Heretique, and ſaid, *my doctrine which I prea-
 ched (yet ye would neuer heare me) was erroneous, filthy, and
 blaſphemous*: ſo filthely your blaſphemous mouth, coulde
 raille againſt Gods trueth. Whereupon, I, to ſtate you, ſaid
 alonely that thoſe were vnmannarly wordes to be ſpoken
 at myne owne table: and therfore would as than ſaye no
 moze openly vnto you there, but tolde you that after dyn-
 ner I would ſhewe you moze of my minde, betwixt you &
 me. And ſo ſhortly after dinner, I came vp to you, and
 there calling you into the Gallorie of my houſe, adioyning
 to your chamber, I put you in remembraunce of that whiche
 I had before oftentimes admoniſhed you, of your outragi-
 ouſ talke in myne abſence, & ſo oftentimes openly at my
 table, whereof I had ſondꝛy tymes geuen you warninge,

foz that the same might bzeede perill to your selfe, blame to me, and offence to others. And bicause I founde still the continuance of that your misorder: yea, to be muche moze beehement many times in mine absence than in my presence: Therfoze I willed you thencefozth to abstaine from conferring with any man in any wise at all, adding that you should haue to your chamber, all thinges necessary, & what meate you woulde competently appointe fo: your owne diet, whiche ye had accordingly. And although I did restraine you from comming to my table, or to goe so muche at large as you had doon: yet had you no other keeper than you had befoze, which was your owne man: you had a faire Gallory adioyning to your chamber, openinge to my parke, your seruauant a chamber by him selfe, nexte to yours, ye had Leades faire and large, on the whiche ye might walke, and haue prospect bothe over the Parkes, Gardeins, and Orcharde. And therewith thise in the weake at the least, whiles I laye at Waltham, with one by me appointed, you walked abzoade into the Parkes, Garden, and Orchard: and this you call your close emprisonment. Sixtly, touching my complaint to the most honourable of you, whereby you were remitted prisoner againe to the Tower, what the same was, their honours can well declare, if their pleasure so be: beinge suer that I haue not broken promise with you hetherto, in offering your opinto against the Lawes of the Realme, as I haue befoze said, whiche ye shewed at any time in the priuate conference. And so ye haue not any cause to challenge me in that behalfe.

To conclude, by the premises it may appeare to the honourable as by a tass, what sinceritie there is in you. Againe, that this your quarreling and belisnge me by spreadyng this booke, was and is chiefly, to reconer your credit

credit with those of your faction : who as I haue said, had
conceiued some doubt of your reuolt , and to cōfirme them
in their grounded error , and herewith to bring me and
other suche as I am, into obloquy and hatred. And lastly,
to impugne & barke against the D. Palessties Law,
full and due authoritie , whiche you and your
complices daily labour to subuert: which
matter I referre to be further con-
sidered, by the graue wisdom
of the mosse honou-
rable.

FINIS.

